LAGRANGE
COURT
CASES
1836-1839
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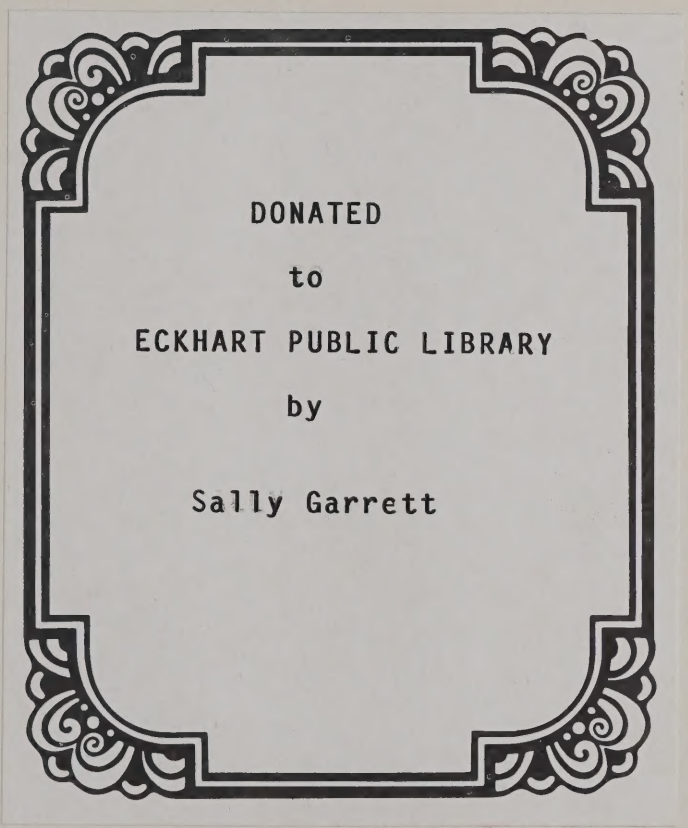

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Bk 2

BOOK No. 2

L A G R A N G E C I R C U I T C O U R T

April Term 1836 —— April Term 1839

Compiled by

Gene Plasterer

Court Reporter

1935 - 1977

1976

BOOK No. 2

LAGRANGE CIRCUIT COURT

April Term 1836 ——— April Term 18??

Compiled by

Gene Plasterer

Court Reporter

1975

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April Term 1836

At a Term of the Lagrange County Circuit Court began [sic] and held at the court house in the Town of Mongoquonong in said County on Monday the 4th day of April in the year eighteen hundred and thirty six - Present the Honorable Gustavus A. Everts President Judge of the eighth Judicial Circuit of the State of Indiana and Luther Newton and Ephraim Seely Esquires Associate Judges of the Lagrange Circuit Court also present Joshua T. Hobbs Clerk of said court and John M. Brown Sheriff of said County -

John M. Brown Sheriff of Lagrange County now brings into court the following pannel [sic] of Grand Jurors by virtue of a venire facias heretofore to him directed to wit Robert Hamilton who is by the court appointed foreman and Sworn as such Lemuel Fobes Samuel Cory Almon Lawrence Otis Newton Nathain Brown Mehemiah Coldren ~~John Gardner~~ [sic] John Gardner Robert Latta Edward Smith Jacob Croy James Gawthrop twelve in number _____ and no more of the persons named in the venire aforesaid answering to their names when called the said Sheriff by order of the court places on the pannel [sic] the following bystanders to wit Tyler Flemming William Caldwell William Adair and James Leverich who with the aforesaid twelve, make sixteen in number _____ - good and Lawful men of the County of Lagrange aforesaid who being empannelled [sic] charged and Sworn to well and truly enquire

in and for the body of the County of Lagrange retire to their room under the charge of David Stevenson a sworn officer of this court

Frederick Hamilton is by the court appointed bailiff during the present Term

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April Term 1836.

State of Indiana)
)
vs) On indictment for retailing without
)
David Bourie) License
)
Mason Meriam)

Now at this time comes Samuel C. Sample Esquire prosecuting the pleas of the State of Indiana in this behalf and the said David Bourie and Mason Meriam in their own proper person also comes and for plea to said indictment say they cannot gainsay or deny that they are guilty in manner and form as they therein stand charged. Thereupon the court assess a fine of one dollar on each of the said defendants David Bourie and Mason Meriam - It is therefore considered by the court that the said State of Indiana do recover against the said Dabid Bourie and Mason Meriam the Sum of one dollar each fine together with the costs of this prosecution and that they severally stand committed to the custody of the Sheriff until said fines & costs be paid or replevied and thereupon the said defendants now in open court pay the said fines and costs

State of Indiana)
)
vs) on indictment for betting
)
Gardner T. Brownell)

Now at this time comes Samuel C. Sample Esquire prosecuting the pleas of the State of Indiana in this behalf and the said Gardner T. Brownell in his own proper person also comes and for plea to said indictment says he cannot gainsay or deny that he is guilty in manner and form as he therein stands charged. Thereupon the court assess his fine at the sum of two dollars. It is therefore considered by the court that the said State of Indiana do recover against the said Gardner T. Brownell the sum

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of two dollars as above assessed besides her costs and charges in this behalf laid out and expended and the defendant in mercy &c

Thereupon comes into Open Court Francis F. Jewett and acknowledged himself replevin vail and Security for the said Gardner T. Brownell for the payment of the said fine and costs and costs to accrue in three months from this date

State of Indiana)
)
vs) Indictment for Affray
)
Nathan McCoy)

Now at this time comes Samuel C. Sample Esquire prosecuting the pleas of the State of Indiana in this

behalf and says he will no further prosecute the said Indictment. It is therefore considered by the court that the said defendant as to said indictment do go hence without day

State of Indiana)
)
vs) Indt. for Malicious trespass
)
Micajah Harding)

Now comes Samuel C. Sample prosecuting attorney and Micajah Harding Junr. the said defendant in his own proper person who being arraigned upon the said indictment for plea thereto he says he is not guilty as charged therein and for trial thereof he puts himself upon the country and the prosecuting attorney aforesaid doth the like and thereupon here comes a Jury to try the said issue towit - John Anderson Samuel Parker - Ansel Dickinson - Nathan Corwin - Albert Powell- William Stevenson - Samuel Carl AdolphusWalrath - Leonard Appleman - Jacob Miller - Francis Blair - & Caleb Jewitt - twelve good and lawful men of the county aforesaid who being elected tried and sworn the truth to speak & a true verdict to render upon the issue joined as aforesaid upon their oath aforesaid find the defendant Micajah Harding Junr. guilty in manner & form as he stands charged in the indictment & assess his fine at the sum of eleven dollars & sixteen cents & find that he be imprisoned in the county jail for the term of time of one hour

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April Term 1836

James Leverich)
)
vs) In Chancery
)
Susan Sweitzer)
)
Charles Sweitzer)
)
Ann Sweitzer)
)
Lewis H. Sweitzer)

Now come the parties aforesaid and thereupon Samuel C. Sample the commissioner heretofore appointed in this behalf now makes the following report to the court of his doings herein towit:

State of Indiana Lagrange County, ss

James Leverich)
)
vs) In Chancery in the Lagrange
)
Charles Switzer) Circuit Court Sept^{r} Term 1836
)
Ann Switzer etal)

To The Honorable The Circuit Court of the Term of Sept. 1835 [sic]

The undersigned commissioner in this behalf appointed at the March Term 1835 of Said Court to prepare & execute a deed conveying to said complainant the interest of said heirs of and in the said land in complainants bill mentioned respectfully reports that in obedience to said appointment he has prepared and executed such deed of conveyance assuming and conveying to said complainant all the

right and title of said heirs of and in said land to the said complainant which said deed the undersigned now produces here in court to be delivered to said complainant as this Honorable court shall direct

Samuel C. Sample Com.r

And thereupon the said Samuel C. Sample now produces in court the following deed of conveyance of said land by him executed to the said James Leverich -

p. 5 This Indenture made the tenth day of June in the Year eighteen hundred and thirty five between Samuel C. Sample a Commissioner appointed by the Lagrange Indiana Circuit Court as a Court of Chamcery sitting - at the March Term thereof in the year eignteen hundred and thirty five of the first part and James Leverich of the County of Lagrange aforesaid of the second part - Witnesseth That Whereas the said James Leverich and one Lewis Switzer on the fifth day of October in the year 1832 entered at the land office of the United States at Fort Wayne in the State of Indiana the North east fractional quarter of Section number twenty one of Township number thirty eight of Range number Ten east containing one hundred and fifteen acres and one half an acre lying and being in the said County of Lagrange the said land having been entered & purchased in the names of the said Leverick and Switzer Jointly And whereas also after the perchase [sic] of said Land to wit on the _ day of November A. D. 1832

the said Lewis Switzer deceased leaving as his widow, Susan Switzer and as his children and heirs at law Charles Switzer Ann Switzer and Lewis Henry Switzer And whereas also the said James Leverich at the Septemver Term of the year 1834, of the said Circuit Court of the said County of Lagrange filed his bill in Chancery against the said widow & children of the Lewis Swtizer decased [sic] charging among other things that he the said Leverich and the said Lewis Switzer in his life time purchased said land Jointly, that he the said Leverich furnished the whole of the purchase money therefor that no part thereof was furnished or intended to be furnished by the said Switzer dec^{d} that the said Leverich & Switzer deceased purchased said land under the act of Congress of the 5th of April 1832 entitled "An Act Supplementary to the several laws for the Sale of the Publice [sic] Lands

that said Switzer & Leverich were at the time of said entry and purchase actual setlers [sic] on said land and each of them under said act entitled to preemptions of ₤ [sic] 10 acres of said land that upon the entry thereof as aforesaid it was agreed by and

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between said parties to wit the said leverich and the said Switzer that the said Land should be entered by them Jointly and upon the patent being issued therefor by the Government of the United States that he the said Lewis Switzer should

convey to the said Leverich the moiety or one undivided half of said land held in his name by virtue of the entry aforesaid that the patent for said land had been issued by the Government of the United States and praying said court to compel the said heirs to convey to the said Leverich the said Moiety of said land of which he the said Switzer deceased in his life time was the trustee for the use of the said Leverich the complainant in said bill in Chancery. And whereas also at the March Term in the year 1835 of said court the said cause came on to be herd [sic] before said court whereupon the said court among other things ordered and decreed that the said Samuel C. Sample be appointed a commissioner to prepare and execute a deed of conveyance to the said James Leverich granting and assuring to him the said Leverich all the right, title interest and claim of the said heirs of in and to said land so purchased by their said father the said Switzer deceased as aforesaid an[d] of which will more fully and at large appear by refference [sic] to the record of said suit in Chancery in said court remaining Therefore I the said Samuel C. Sample commissioner as aforesaid by virtue of the authority in me vested by the said court as aforesaid and in consideration of the premises have bargained sold released conveyed and forever quit claimed and by virtue of these present do bargain, sell, release, convey, and forever quit claim to the said James Leverich his heirs and assigns forever all the right ritle interest claim and detinuance [?] of the said

Charles Switzer Ann Switzer and Lewis Henry Switzer the said heirs of the said Lewis Switzer deceased of in and to the said tract of Land before mentioned and discribed [sic]

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To have and to hold the same and every part thereof together with the appurtenances thereunto belonging or in any wise appertaining [sic] to him the said James Leverich his heirs and assigns forever in an full and ample a manner as I the said Sample as sucg commissioner as aforesaid might or ought to convey the same

In testimony whereof I the said Samuel C - Sample as such commissioner as aforesaid have hereunto set my hand & affixed my seal the day and year first above written
The words "& assigns" interlined before
sealing and delivery
Signed Sealed and
delivered in present of)
)
Henry Cooper) Samuel C. Sample §LS§
)
Joshua T. Hobbs)

And thereupon the said Samuel C. Sample the said Commissioner now in open court acknowledges that he executed & prepared signed & sealed the said deed of conveyance in conformity with the order of this court for the uses and purposes therein mentioned and expressed and thereupon the court now here approve of said deed of conveyance in all things and order the same to be spread at full length upon

the order book of this court which is done and the court further order that the clerk of this court certify on the back of said deed of conveyance the foregoing acknowledgement and approval and deliver the same to the said James Leverich the said complainant all of which is ordered & decreed by the court -

Now comes into open court William Whitney and files his declaration of his intention to become a citizen of the United States in these words (here insert it) and this matter is continued -

And the court adjourned until 9 Oclock tomorrow morning

Gustavus A. Everts

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April Term 1836

Tuesday Morning 9 Oclock April 5th 1836

Court met pursuant to adjournment The same Judges and officers as on yesterday

Jacob Carr)
)
vs) Debt on bond
)
Hugh Alison)

Now at this time comes the parties and the court having sufficiently advised of an[d] concerning the demurrer aforesaid consider that the matters and things in said plaintiffs declaration mentioned and set forth are in-

sufficient in law to have and maintain his aforesaid action in this behalf It is therefore considered by the court now here that the said plaintiff take nothing by his writ & that the defendant go hence thereof without day & that Hugh Allison the defendant do recover against the said Jacob Carr his costs and charges in this behalf laid out and expended

State of Indiana)
)
vs) Malicious Trespass
)
Micajah Harding Junr.)

Now at this time comes the parties aforesaid and thereupon the prosecuting attorney moves the court to render Judgment on the verdict aforesaid It is therefore considered by the court now here that the said State of Indiana do recover against the said defendant Micajah Harding Junior the sum of eleven dollars and sixteen cents fine as above assessed besides hur [sic] costs and charges in this behalf laid out and expended and that the Sh eriff confine in the ounty Jail the said Micajah Marding J.r for the term of one hour. And that he stand committed into the custody of said Sheriff until said fine and costs are paid or replevied - Thereupon comes into open court Daniel Harding and

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April Term 1836

acknowledged himself replevin bail and Security for the Said Micajah Marding J.r for the payment of the said fine and ost and costs to accrue; within three months -

Received payment and satisfaction in full of the fine & costs above assessed

J. T. Hobbs, Clk

Ira Leverich)
)
vs) Assumpsit on Appeal
)
Washington Adair)

Now at this time comes the parties and by agreement of the parties this cause is dismissed at the costs of the defendant. It is therefore considered by the court that the said plaintiff do recover against the said ashington Adair his costs and charges in this vehalf laid out and expended.

Joshua Pennell)
)
vs) Trespass on the case
)
William Gale)

Now at this time comes the plaintiff by counsel and suggests the decease of the said William Gale defendant since the commencement of this suit Thereupon by order of the court this cause is continued

William Gale)
)
vs) Case on Appeal
)
Joshua Pennell)

Now at this time comes the parties by counsel and suggest the death of the said William Gale plain-

tiff Thereupon the court order said cause to be continued

Luther Newton)
)
vs) Sci fa
)
Norman Sessions) dismissed at costs plaintiff ordered that cost be paid in Sixty days or in default that an attachment issue -

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April Term 1836

Elias B. Smith)
)
vs) Debt on Appeal
)
Oliver C. Ward)

Now at this time the parties [come] and by agreement of the parties this cause is dismissed and each party to pay and [sic] equal ~~properti~~ [sic] part of the costs - It is therefore ordered by the court that the said parties pay the the [sic] said costs within sixty days or in default that an attachment issue

Ephraim Cone)
)
vs) Debt
)
Darius D. Evens) Continued untill [sic] the next Term

Luther Newton)
)
vs) Assumpsit on appeal
)
Robert Sherman)

Now at this time comes the parties And

thereupon the plaintiff moves the court to dis[miss] the appeal in this cause upon the ground that said appeal was not taken within thirty days from the rendition of said Judgment as prescribed by Law. -
Which motion is by the court sustained It is therefore considered by the court that said ~~said~~ [sic] appeal stand dismissed and that said Luther Newton plaintiff do recover against the said Robert Sherman defendant his costs and charges in this behalf laid out and expended

The grand Jury now comes into court and returns sundry bills of indictment found by them as true bills and signed by their foreman as such also a report of the condition of the County Jail and having no further business are discharged from further duty -

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April Term 1836

State of Indiana)
)
vs) Assault and Battery
)
Joel Leverich)

Now at this time comes Samuel C. Sample the prosecuting Attorney and the said Joel Leverich in his own proper ~~person~~ [sic] person also comes and for plea to said indictment says he is not guilty And by agreement this cause is submitted to the summary decision of the court And the court after hearing the testimony and the arguments

of counsel say he is guilty in manner and form as he stands charged in said indictment and assess his fine at the sum of five dollars

It is therefore considered by the court that the said State of Indiana do recover against the said defendant the sum of five dollars as above assessed Together with the costs of this prosecution & that he stand committed into the custody of the sheriff untill [sic] said fine and costs are paid or replevied

State of Indiana)
)
vs) Assault and Battery
)
Joel Leverich)

Now at this time comes Samuel C. Sample prosecuting the pleas of the State of Indiana in this behalf and the said Joel Leverich in his own proper person also comes and for plea to said indictment says he cannot gainsay or deny but he is guilty in manner and form as he stands indicted. Thereupon the court assess his fine at the sum of five dollars It is therefore considered by the court that the said State of Indiana do recover against the said Joel Leverich the sum of five dollars as above assessed besides the costs of this prosecution and stand committed to the custody of the Sheriff untill [sic] said fine and costs are paid or replevied

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April Term 1836

State of Indiana)
)
vs) Assault and Battery -
)
Joel Leverich)

Now at this time comes ~~the~~ [sic] Samuel C. Sample proseuting attorney and the said Joel Leverich in his own proper person also comes and for plea to said indictment says he cannot gainsay or deny but he is guilty in manner and form as he stands charged in said indictment. Thereupon the court assess his fine at the sum of five dollars. It is therefore considered by the court that the said State of Indiana do recover against the said Joel Leverich the sum of five dollars as above assessed bisides [sic] the costs of this prosecution and that he stand committed to the custody of the sheriff untill [sic] said fine and costs are paid or replevied - Ica F. Rice appear[d] before the Clerk of this court and acknowledged himself replevin [sic] [sic] bail and Security for the payment of the said fine and costs and costs to accrue - within three months from this date -

State of Indiana)
)
vs) Forgery
)
William P. Bromley)

Now at this time comes Jonathan A. Liston specially appointed by the court to prosecute the pleas of the State of Indiana in this behalf and the said William P.

Bromley the defendant in his own proper person also comes also comes [sic] and being arraigned upon the indictment aforesaid for plea thereto says he is not guilty and for trial thereof he puts himself upon the country and the said prosecutor doth the like Thereupon come a Jury to try the issue Joined as aforesaid to wit - David B. Herriman Leonard Appleman Samuel Parker Caleb Jewett, George Whitaker William Stevenson, Solomon Miller Jacob Miller Albert Powell Henry Switzer, Anthony Nelson James McConnell twelve good and Lawful men of the County

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of Lagrange aforesaid who being duly elected tried and sworn the truth to say upon the issue Joined aforesaid upon their oath aforesaid do find and say "We the Jury do find the defendant not guilty in manner & form as charged in the indictment" It is therefore considered by the court that the said defendant as to said indictment and offence go hence acquit & Discharged without day

Lewis Goddard)
)
vs) Sci. Fa -
)
Erastus Haskins)

Be it remembered that on the 14th day of January 1836. the said plaintiff filed in the clerks office of this court a transcript of a judgment against

the said defendant from the docket of a Justice of the peace of said county. And it appearing to the satisfacting [sic] of the court that service of the said Scire facias was made on the said defendant ten days prior to the first day of this term and the said defendant having failed to appear and shew cause why the said plaintiff should not have execution in this behalf. It is therefore considered by the court that the said Lewis Goddard plaintiff have execution against the goods and chattles [sic] Lands and tenements of the said Erastus Haskins defendant for the sum mentioned in said Judgment and Scire facias and the costs and charges in this behalf laid out and expended -

Lewis Goddard)
)
vs) Sci. Fa.
)
Erastus Haskins)

Be it remembered that on the 13th day of January 1836 the said plaintiff filed in the clerks office of this court a transcript of a Judgment against the said defendant from the docket of a Justice of the peace of said county And it appearing to the satisfaction of the court that service of the said Scire Facias was made on the said defendant

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at least ten days previous to the first day of this term And the said defendant having failed to appear and shew

cause why Execution should not be awarded against him in this behalf, It is therefore considered by the court that said Lewis Goddard plaintiff have execution against the goods ~~and~~ [sic] chattles [sic] Lands and tenements of the said Erastus Haskins defendant for the sum in said Judgment and Scire facias ~~mentioned~~ [sic] mentioned and for his costs and charges in this behalf laid out and expended -

Elias S. Swan)
)
vs) Sci. Fa.
)
Frederick Hamilton)

Be it remembered that on the 20th day of August 1834. the said plaintiff filed in the office of the clerk of this court a transcript of a Judgment against the said defendant from the docket of a Justice of the peace of said County And it appearing to the satisfaction of the court that service of said Scire facias was made on said defendant at least ten days before the first day of this term and the said defendant having failed to answer to said Scire facias and Shew cause why execution should not be awarded against him in this behalf It is therefore ordered by the court that the said Elias S. Swan have execution against the goods ~~and~~ [sic] Chattles [sic], lands and tenements of the said ~~Erastus Haskins~~ [sic] Frederick Hamilton defendant for the sum of said Judgment and Scire facias mentioned and that he recover against the said defendant his

cost and charges in this behalf laid out and expended

Jonathan Gardner)
)
vs) Sci Fa.
)
Frederick Hamilton)

Be it remembered that on 30th day of October 1834 the said plaintiff filed in the office of the clerk of this court a transcript of a Judgment from the docket of

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a Justice of the peace of said County against the said defendant And it appearing to the satisfaction of the court that service of said Scire facias was duly made on the said defendant at least ten days before the first day of this term and the said defendant having failed to answer to said Scire facias and Shew cause why Execution should not be awarded against him in this behalf. It is therefore ordered by the court that the said Jonathan Gardner have execution against the goods chattles [sic] lands and tenements of the said Frederick Hamilton to satisfy the said Judgment and costs in this behalf laid out and expended -

Received the above in full Jonathan Gardner

Mark Kenniston)
)
vs) Appeal
)
Robert Latta)

The parties come & on motion of plain-

tiff a rule is granted against the Justice of the peace who tried this cause below to certify up to this court a true transcript of the proceedings had before him in this behalf & thereupon the said Justice now certifies such transcript & day is given

And the court adjourned until tomorrow morning at 9 oclock

G. A. Everts

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April Term 1836.

Wednesday morning 9 oclock April 6th 1836

Present the same Judges and office[r]s of the court as on yesterday

Silas Thrailkill)
)
vs) Assumpsit on appeal -
)
William P. Bromley)

Now at this time comes the parties and thereupon the plaintiff moves the court to dismiss this appeal on the ground that the same was not filed in this court within twenty days from the taking of said Appeal which motion is by the court sustained. It is therefore considered by the court that said appeal stand dismissed, ~~and that the said It is therefore considered by the court~~ [sic] and that said plaintiff do recover against the said defendant his costs and charges in this behalf laid out and expended and

it is ordered that Edmund Littlefield the Justice of the peace before whom this cause was tried proceed to the collection of said Judgment

State of Indiana)
)
vs) Larceny
)
Archibald Scott)

Now at this time comes Samuel C. Sample Esquire prosecuting Attorney and says he will no further prosecute the said indictment - It is therefore considered by the court that the said Archibald Scott defendant as to said indictment go hence without day -

James Knowles)
)
vs) Assumpsit on Appeal
)
James McConnell)

Now at this time comes the parties and by agreement of the parties this cause is continued, with leave to the plaintiff to amend his cause of action upon the the [sic] payment of all costs up to the present time - Thereupon said costs are paid -

p. 17 April Term Shp fr $2.28 [sic]

State of Indiana)
)
vs) Assault & Battery
)
Ira Leverich)

Now at this time comes Samuel C. Sample Esquire prosecuting the pleas of the State of Indiana in this behalf and the said Ira Leverich defendant in his own proper person also comes and for plea to said indictment says he is not guilty and by agreement of the parties this cause is submitted to the summary decision of the court. Thereupon the court having herd [sic] the testimony and arguments of counsel find the defendant guilty in manner and form as he stands indicted - and assess his fine at the sum of one dollar
It is therefore considered by the court that the State of Indiana do recover against the said Ira Leverich defendant the sum of one dollar as above assessed together with the costs of this prosecution and that he stand committed to the custody of the sheriff untill [sic] said fine and costs are paid or replevied Thereupon comes into open court James Leverich and acknowledged himself replevin bail and Secuty for said Ira Leverich for the payment of said fine and costs & costs to accrue, for three months from this date

State of Indiana)
)
vs) Bartering Sperits [sic] to Indian
)
Albert Powell)

Now at this time comes Samuel C. Sample prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes, and for plea to said indictment says he is not guilty as he stands

charged in said indictment and by agreement of the parties his cause is submitted to the summary decision of the court - Thereupon the court having herd [sic] the testimony and the arguments of counsel find the defendant guilty in manner and form as he stands charged in said indictment, and assess his fine at the sum of five dollars -

It is therefore considered by the court that the State of Indiana do recover against the said

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Albert Powell the sum of five dollars as above assessed together with the costs and charges of this prosecution laid out and expended, and that the said defendant do stand committed in custody &c

Thereupon comes into open Court James Leverich and acknowledges himself replevin bail and Security for the said defendant for the payment of the said fine and costs and costs to accrue within three months -

State of Indiana)
)
vs) Assault & Battery on three Several
)
Joel Leverich) Indictments

Now at this time comes the parties and thereupon comes in open court Ica F. Rice and acknowledged himself replevin bail and Security for the said Joel Leverich defendant for the payment of three Several fines of five dollars each and the costs of said prosecutions, and costs to accrue within three months from this date

Luther Newton)
)
vs) Trespass on Appeal
)
John Jewett)

Now comes the parties and by agreement of the parties this cause is dismissed at the costs of each party - each one to be taxed with an eaqual [sic] part -
It is therefore ordered by the court that said parties pay said costs within sixty days or in default that an attachment issue be-

Houlton & Hughes)
)
vs) Assumpsit
)
Walker Carter & Co.)

Now come the parties by their attorneys, and the issue being joined

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tween the parties, whereupon the sheriff of said county is commanded that he bring into court a jury to try the issue between the parties, and thereupon the sheriff bring here into court, here the following pannel [sic] of jurors towit, ~~Edmund Littlefield~~ [sic] Solomon Miller Caleb Jewett Nathan Corwin Micajah Harding J.r Calvin Chase Ansel Dickinson Samuel Carl Jacob Miller Samuel Parker George Thompson Adolphus Town & Anthony Nelson twelve good and lawful men discreet houskeepers [sic] and free holders of the county aforesaid who being elected tried and sworn the truth to speak in the premises on the issue joined between the parties.

And after the evidence had been given to the jury on behalf of the plaintiffs the defendant insisted that the evidence given on behalf of the plaintiff was not sufficient in law to sustain the issue joined between the parties - And thereupon by leave of the court the said Jury are discharged and the said defendants take down the evidence given on behalf of the plaintiff as follows (here insert the evidence as taken down in court) and the said defendants introduce no evidence on their behalf and the defendants now file their demurrer to the said evidence and the said plaintiffs file their joinder thereto in these words (here insert them.) and the said court having heard the argument of counsel ~~as-to~~ [sic] are of opinion that the said evidence as adduced by the said plaintiffs is good and sufficient in law as proof that the said defendants did promise and undertake in manner & form as the said ~~defend~~ [sic] plaintiffs have complained against them & that the said plaintiffs ought to recover their damages by reason of the breaches complained of and thereupon on motion of the said plaintiffs a Jury is now empannelled [sic] to assess the damages of the said plaintiffs in the premises towit Solomon Miller, Caleb Nathan Jewit Nathan Corwin Micajah Harding Jr., Calvin Chase, Ansel Dickinson, Samuel Carle, Jacob Miller, Samuel Parker, George Thompson, Adolphus Town and Anthy Nelson, twelve good and lawful men discreet houskeepers [sic] and freeholders of the county aforesaid, who being elected tried and sworn to ~~make-to-make~~ [sic] well and truly assess the damages in favour of the said

plaintiffs on the evidence aforesaid and a true verdict to give found in court the following verdict to wit "We the jury do assess the plaintiffs

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damages at the sum of one hundred and seventy three three [sic] dollars and sixty six cents.

And ~~before~~ [sic] the defendants give notice that they would move the court to set aside the said verdict and assessment of damages, because the [amount] exceed the amount of damages proved by the evidence & are excessive -

Before the jury were empannelled [sic] and sworn to try the issue joined between the parties the defendants moved the court here to suppress the first interrogatory and answer in the deposition of William C. Porter on file in this case which motion was overruled by the court, to which opinion of the court is [in] overuling said motion the ~~plaintiff~~ [sic] defendants excepted to the opinion of the court and filed their bill of exceptions in these words (here insert)
The president Judge is withdrawn from the court on account of having been employed as counsel for one of the parties in this case prior to his appointment as Judge

State of Indiana on the relation of Samuel Robinson
vs
Edmund Littlefield & others

Debt on official bond

Now come the parties aforesaid and the said defendant produces in court here ~~the~~ [sic] a transcript of the opinion & decision of the Supreme Court in this behalf affirming the opinion of this ~~Supreme~~ [sic] court which said transcript is by order of the Court filed ~~in~~ [sic] with the clerk among the papers of this cause and appended to the complete record

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April Term

Manoah Hubbard)
)
vs) Assumpsit on appeal
)
Franklin Griswold)

Now comes the parties and thereupon by agreement of the parties this cause is dismissed at the costs of the defendant It is therefore considered by the court that said cause do stand dismissed, and that the said plaintiff do recover against the said defendant his costs and charges in this behalf laid out and expended

And the court adjourned untill [sic] tomorrow morning at nine oclock

Gustavus A. Everts.

Thursday morning 9 Oclock April 7th 1836 the court met pursuant to adjournment present as on yesterday -

Holton & Hughes)
)
vs) Assumpsit
)
Walker Carter & Co)

Now come the parties aforesia and thereupon the defendants by Counsel move the court to set aside the assessement [sic] of damages returned by the said Jury in this behalf because they are excessive & not warranted by the evidence - Which motion the court overrule & to which opinion of the court the said defendants excepts ~~& files his bill~~ [sic] It is therefore considered by the court that the said plaintiffs recover against the said defendants the sum of one hundred and seventy three dollars and Sixty Six cents in damages as by the jury aforesaid is assessed & found ~~by the Jury~~ [sic]

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besides their costs & charges in this behalf laid out & expended during the progress of said trial the said ~~pl~~ [sic] defendants filed the following bills of exceptions to wit (here insert them)

I do hereby acknowledge myself bail for the payment of the above judgment together with the intrest [sic] and costs accrued and accruing and to accrue thereon, witness my hand and seal this 8th day of April 1836

Henry Cooper §LS§

Mark Kinneston)
)
vs) Assumpsit on appeal
)
Robert Latta)

Now come the parties and the said defendant now ~~file~~ [sic] moves the court to set aside the award on affidavit filed which motion the court overrule. And the defendant filed a bill of exceptions to the opinion of the court (here insert it) thereupon the plaintiff moves the court to affirm the Judgment of the Justice of the peace in this behalf & day is given the parties

Amos A. Richards and)
)
Thomas M. Hardcastle, partners)
)
trading in the name style &)
) Debt
description of)
)
Richards & Hardcastle) Now come the parties by
)
vs) their Attorneys and the
)
Dudley Thorp) defendant by his attorney

says he is not informed of any defence [sic] to make to the said plaintiffs action. It is therefore considered by the court now here that the said plaintiffs recover of the said defendant the ~~said~~ [sic] sum of One hundred and thirty eight dollars ~~in debt~~ [sic] and forty one cents in debt being the sum in said plaintiffs declaration mentioned as well as the sum of fifteen dollars and twenty two cents in damages making in all the sum of One hundred and fifty three dollars

and sixty three cents together with his costs and charges in the prosecution of this suit laid out & expended and the defendant in mercy &c

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April Term 1836

Enoch Wright)
)
vs) Assumpsit on appeal
)
Jacob French)

Now comes the parties and by agreement of the parties a Jury is waived and the cause is submitted to the summary decision of the court, and after hearing the testimony, with the leave of the court, the said plaintiff voluntarily suffers a non suit It is therefore considered by the court that said defendant do recover against the said plaintiff his costs and charges in this behalf laid out and expended

Mark Kinneston)
)
vs) Assumpsit
)
Robert Latta)

Now comes the parties by their attorney and the defendant filed his written reasons in these words (here insert) to show cause why the said award should not be confirmed, and offered parol evidence in support of said reasons

William P. Bromley)
)
vs) Assumpsit on appeal
)
George Weirick)

Now comes the parties and thereupon by agreement this cause is continued untill [sic] the next term -

Ira Leverich)
)
vs) Trespass
)
Micajah Harding)
)
Jesse Harding)

Now comes the parties and thereupon by agreement of the parties this cause is dismissed at the cost of the plaintiff. It is therefore considered by the court that the said defendants do recover against the said plaintiff their costs and charges in this behalf laid out and expended -

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April Term 1836

Henry Work)
)
vs) Replevin
)
Samuel Bradford)

Now comes the parties and the plaintiff dismisses this cause at his own cost. It is therefore considered by the court that said suit be dismissed and that the said defendant do recover against the said plaintiff his costs and charges in this behalf laid out and expended

The court assess a fine of one dollar ~~to-be-receevered~~ [sic] against Jonathan A. Liston in favour of the State of Indiana for contempt of court which fine is paid

The court assess a fine of one dollar against John B. Howe in favour of the State of Indiana for contempt of court which fine is now paid

James Knowles)
)
vs) Now come the plaintiff and filed his
)
James McConnell) amended cause of action -

Mark Kinnison [sic])
)
vs) Appeal
)
Robert Latta) Now come the defendant by his attorney and the plaintiff being thrice solemly [sic] called ~~came-not~~ [sic] to come into court and prosecute his suit came not but herein makes defaut [sic] It is therefor [sic] considered by the court here that the defendant aforesaid as to the suit zforesaid go hence without day & that the said defendant recover of the said plaintiff his cost and charges in and about the defence [sic] of this suit laid out and expended and the ~~defendant~~ [sic] plaintiff in mercy &c

I William McConnel do hereby acknowledge myself replevin bail and Security for the said Mark Kinnison for the payment of the said costs and costs to accrue in three months from this date . William McConnel

Receid [sic] on the sbove Judgment

$33.35 AG [?] -

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April Term 1836.

It is ordered by the court that writs of capias ad respondendum do issue on all Indictments found by the Grand Jury at the present Term of this court and that bail be required in all ~~in~~ [sic] all [sic] cases except for riot for which the sum of fifty dollars with Security in like sum in the sum of twenty five dollars with security in the like sum

And the court adjourned untill [sic] tomorrow morning 9 Oclock -

Ephraim Seely

Luther Newton

Fryday [sic] Morning 9 oclock April 8th 1836 -
Court met persuant [sic] to adjournment present as on yesterday

Ordered by the court that David Stevenson be allowed three dollars and Frederick Hamilton four Dollars for Services as Bailiff during the present Term -

A general rule is granted to take depositions within and out of this State -

Samuel Sidner)
)
vs) Assumpsit
)
Hiram Harding)

Now at this comes the said defendant and upon affidavit filed moves the court to grant to said defendant an appeal in said cause from the Judgment and decision of Samuel Robinson Esquire the Justice of the peace before whom the same was tried which motion the court sustain and It ~~is ordered by the court~~ [sic] appearing to the court that said

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said [sic] Samuel Robinson has resigned his said office and placed his docket in the hands of Edmund Littlefield Justice of the peace of said county. It is therefore ordered by the court that the said Edmund Littlefield Justice of the peace do within thirty days from this date file in the office of the clerk of this court a full and perfect transcript of the Judgment and proceedings and papers in the above case as zre deposited in his office by the said Samuel Robinson, provided the said defendant do within such time file with such Justice a bond as according to the Statute in cases of appeals is provided and that said Defendant give notice to said plaintiff of the taking of said appeal

Jonathan Woodruff)
)
vs) Trespass on appeal
)
Samuel Coe [Carl])

Now comes the parties and by the consent of parties this cause is continued

James Everich)
)
vs) Trespass
)
Micajah Harding Jr.)

Now comes the parties and by agreement of the parties this cause is dismissed at the costs of the plaintiff. It is therefore considered by the court that the said defendant do recover against the said plaintiff his costs and charges by him in this behalf laid out and expended and the plaintiff in Mercy &c

Marvin M. Curtis)
)
vs)ss Trespass on appeal.
)
Jesse Harding) Now comes the parties and for trial submit
)
Micajah Harding) this cause to the court. And the court after hearing the evidence and arguments of counsel find the defendant Jesse Harding guilty and assess the plaintiff damages at five dollars. It is therefore considered that the said plaintiff do recover against the said defendant Jesse Harding the sum of five dollars besides his costs and charges laid out and expended in this behalf -

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April Term 1836.

Marvin M. Curtis)
)
vs) Contest of Election on Appeal
)
Albert Powell)

Now comes the said parties and the court after hearing the testimony and the argument of counsel ~~th~~ [sic] consider that the evidence is insufficient to sustain the points set forth in said contest. It is therefore ordered by the court that the clerk certify the election of the said Albert Powell as directed by Law. And it is further ordered that said plaintiff pay the costs of this contest within sixty Days or in default that an attachment issue

And now here comes into open court Elijah Elmore and makes and Subscribes under oath his application in order to obtain the benefit of a pension under the act of Congress of the 7th June 1832

And the court do hereby declare after the Invistigation [sic] of the matter and after putting the interrogatories propounded by the war department that the above named applicant was a Revolutionary Soldier and served as he states And the court further certifies that it appears to them that Solomon Miller who signed the preceeding [sic] certificate is a clergyman resident in the Township of Lima and county aforesaid and that John Belote who has also signed the same is resident in the county of Lagrange and is a credible per-

son and that the Statement is entitled to credit

Now comes into open court William Whitney and makes and Subscribes under oath his declaration of intention to become a citizen of the United Stats [sic] -

Now comes into open court George Sayer and makes and subscribes under oath his declaration of intention to become a citizen of the United Stats [sic] -

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April Term 1836

Now comes into court Andrew Safely and makes and subscribes under oath his declaration of intention to become a citzen [sic] of the United States

Luther Newton and Ephraim Seely are each allowed by the court ten dollars for services during the present term to be certified to Commissioners

Ordered by the court that attachments issue against John Cummings Isaac Cavin William Miller John Miller and Issac [sic] Wolgamot, for a contempt of court in failing or refusing to attend as Jurors at at [sic] the present Term of this court, it appearing to the satisfaction of the court that they were severally summoned ten days previous to the first day of this term and that they severally be required to enter into recognizance for their appearance at the next Term of this court, in the sum of ten dollars -

John Jewett)
)
vs) Sci. Fa.
)
Norman Session)

Now comes the plaintiff and by order of the court this cause is dismissed at the costs of the plaintiff. It is therefore ordered by the court that the said plaintiff pay the costs within sixty days or in default that an attachment issue -

Daniel Fox)
)
vs) Sci. Fa.
)
Norman Session)

Dismissed at the costs of paintiff [sic] It is therefore ordered by the court that the plaintiff pay the cost in sixty days or that an attachment issue -

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Gardner T. Brownlee)
)
vs) Sci. Fa.
)
Norman Session)

Dismissed at costs of plaintiff. ordered by the court that the said plaintiff pay said costs in sixty days or an attachment issue -

George Kellogg)
)
vs) Sci. Fa.
)
Norman Session)

Dismissed at the cost of the plaintiff -
It is therefore ordered by the court that said plaintiff pay the cost in this behalf in sixty Days or in defaut [sic] that an attachment issue

Alfred Sergent)
)
vs) Debt on appeal
)
Marvin M. Curtis)

Now comes the parties and thereupon the plaintiff moves the court to dismiss the appeal on account that the same was not filed in ~~the~~ [sic] this court twenty days from the taking thereof It is therefore ordered by the court that the said Micajah Harding the Justice before whom the said cause is was [sic] tried do proceed to the collection of said Judgment - And that the said defendant pay the costs and charges in this behalf laid out and expended -

Ordered by the court that the report of the condition of the county Jail be certified to the board of commissioners and that they proceed to repair the same so as to make it sufficient for the sefe keeping of prisoners -

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April Term 1836

And the Court adjourned without day

Signed on the 8th day of April 1836

Luther Newton

Ephraim Seely

Patterson deposited in the clerks office of this Court the acts of the general assembly of the State of Indiana passed at the Session of 1835 & 1836 - on the 19th day of May A. D. 1836.

Att.

J. T. Hobbs, Clerk -

Be it remembered that at the May Session of the board of County Commissioners of Lagrange County, Indiana, The following namd [sic] persons were selected by said board and drawn by the Clerk thereof to Serve as Jurors in the circuit court of said county - for the two succeeding Terms of said court- to wit For Grand Jurors for the first Term - David Jewett Amasa Durand Francis A. Blair W.m Parks Theodore Craft, Thomas Lock John Anderson William Fish W.m Hern J.r Ebenezer Fish Solomon Knott, Palmer Grannis Allen Parmenter harles Hall Benjamin Foos David Stephenson, Thomas Craft, & Levi Green, & for the Second Term Than [Nathan?] H. Codding - Edward Robbins James Leeper Jesse Ingraham John B. Clark Jonus [sic] Tillepaw Moses N. Hill Alfred H. Murray Mathiea McNeal John Jones Grover Egnew, Joseph Caswell Isaac Miller Robert Johnson John Knott Samuel Brown Hiram L. Johnson & Richard Knott And the following persons for petit Jurors towit for the first Term Datus Newton
p. 31 Daniel Harding Ira Hays, Jonathan C. Lee James Hughs Abel Blanchard Samuel Cutler, Nathan Merriman William Demsey

Samuel Stansbury Levi Knott, Obed Ganes George Whitaker Isaac Carpenter William Seaburn Samuel A. Howard Dansel VanAntroup [sic] Henry J. Hall & Eri Allen ~~& for the Second Term~~ [sic] Jacob Martin Norman Session John Stayner Arthur Burrows Cornelius Gilmore & Richard H. Fury and for the Second Term Adolphus Town David McCoy Peter Vandevanger Jacob VanDeventer, John Lackey, George D. Parmenter John Stockman Isaac Gloon [Gloor?] John C. Kinney Jacob Groves Anthony Nelson Robert Greenfield Sen George Thompson Ira Dickinson Calvin Chase Caleb Vanosdale Stephen D. Palmer Tyler Flemming Peter Lampson William Shwarts - Richard Rice Curtis Harding Jacob Gage & George Anway -

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September Session 1836

At a Term of the Lagrange County Circuit Court began [sic] and held within and for said county At the Court house in the Town of Mongoquonong on Monday the Nineteenth day of September in the year of Our Lord One thousand Eight hundred and thirty six present the Honorable Samuel C. Sample President Judge of the eighth Indiana Circuit of the State of Indiana who now here in Court produces his commission as such from the Governor of the Said State of Indiana on which is endorsed and [sic] oath to Support the Constitution of the United States and the Constitution of the State of Indiana also an oath of office in Due form of Law. Also present Luther Newton and Eph-

raim Seely Esquires Associate Judges of the Lagrange Circuit Court and Joshua T. Hobbs Clerk thereof

Tyler Flenning Coroner elect of Lagrange County Now produces his commission as such from the Coroner of the State of Indiana And on which is endorsed an oath to support the Constitution of the United States and the Constitution of the State of Indiana And the Oath of office as required by Law

And the said Coroner now takes his station as an officer of this Court The Sheriff elect having resigned his said Office, The Sheriff of this county having resigned his office & no successor being appointed or elected, The Coroner of Lagrange County now here brings into Court the following pannel [sic] of Grand Jurors heretofore summoned by the sheriff by virtue f a venire fasius [sic] heretofore to him isshed in this behalf and by him duly returned to wit, Palmer Grannis who is by the Court appointed foreman and is sworn as such, David Jewett Theodore Craft Thomas Lock John Anderson Allen Parmenter Charles Hall David Stevenson Levi Gisser Thomas Craft Amasa Durand Francis A. Blair twelve in number and no more of the persons named

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in the said venire facies [sic] answering to their names when Called the said Coroner by order of the Court now summons and places on the pannel [sic] of grand Jurors the following bystanders to wit Joshua Pennell Samuel Robinson and Abram Cole who with the aforesaid twelve make fifteen good and

lawful men of the County of Lagrange who being empannelled [sic] sworn and charged by the Court to well and truly inquire in and for the body of the said County of Lagrange retire to their room to deliberate under Charge of William Ingraham a sworn officer of this Court

State of Indiana)
)
vs) Ind.t for retailing Spirits to persons
)
Albert Powell) in a State of intoxication

Now at this time Comes Joseph L. Jernegan prosecuting the pleas of rhe State of Indiana in this behalf and the said defendant also comes and for plea to said Indictment says he cannot gainsay or deny but that he is guilty in manmer and form as he therein stands indicted Thereupon the Court assess his fine at the sum of two Dollars. It is therefore considered by the Court that the said State of Indiana do recover against the said Albert Powell the sum of two dollars as above assessed besides hur [sic] costs and charges in this behalf laid out and expended

And it [is] ordered gy the Court that the said defendant do stand committed to the Custody of the sheriff untill (sic] said fine and costs are paid or replevied - Thereupon comes into open Court Oliver A. Wood and acknowledges himself replevin bail and security for the said Albert Powell for the payment of the

September Term 1836

said fine of two dollars and costs and costs to accrue, in three months from this date

State of Indiana)
)
vs) Ind^{t} for Assault & Battery
)
George W. Modie)

Now at this time comes Joseph J. Jernegan [?] prosecuting the pleas of the said State in this behalf And on motion of the said prosecution an alias capias is awarded to be directed to the Sheriff of Elkhart County. & this caus [sic] is continued

On motion of John B. Howe Esquire It is ordered to be Certified of record that Malcolm McGregor is a man of good moral character. And he is admitted as an attorney at Law at the bar of this Court during the present Term of this Court and is sworn as such

On motion of O. C. Ward It is ordered to be Certified of record that Barnham is a man of good moral Character and he is admitted as an attorney at Law at the bar of this Court during the present Term and is sworn as such

Joseph J. Jernegan Esquire now here in open Court produces his commission as prosecuting attorney of the eighth Judicial Circuit of the State of Indiana - upon which is indorsed an

oath to support the constitution of the United States and he constitution of the State of Indiana also an oath of office as required by Law -

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And the court adjourned untill [sic] tomorrow morning 8 Oclock

(Signed Septr. 20th 1836

Samuel C. Sample

Tuesday morning eight oclock September 20th 1836 - Court met persuant [sic] to adjournment presant [sic] the same Judges and officers of the Court as on yesterday

William Gale)
)
vs) Case on appeal
)
Joshua Pennell)

Now at this time comes the parties by their attorneys and

[Remainder of page blank]

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James Knowles)
)
vs) Case on appeal
)
James McConnell)

Now at this time Comes the plaintiff and the said defendant being three times called come not but herein make default. Whereby the said action remains unanwered and undefended And the said defendant having failed to prosecute his said appeal It is therefore considered by the court that the said Judgment of the Justice of the Peace be affirmed with ten percent damages and that the plaintiff recover against the said defendant twenty dollars & eighty seven & one half cents being the Judgment below & two dollars & eight cents ten percent thereon making in all twenty two dollars and ninety five & 1/2 cents - And that the said plaintiff do recover against the said defendant his costs and charges in this behalf laid out and expended -

I George F. Whitaker do acknowledge myself replevin bail and Security for for [sic] the said James McConnell for the payment of the above Judgment and costs and costs to accrue in one hundred and twenty days from this date -

[Signed] Geo. F. Whitaker

Ephraim Cone)
)
vs) Case
)
Darius D. Evans)

Now at this time comes the parties and thereupon the said plaintiff discontinues his said action. It is therefore considered by the Court, that the said defendant do recover against the said defend [sic] [plaintiff] his

costs and charges in this behalf laid out & expended

Marquis Calvin)
)
vs) Debt on appeal
)
Charles Murray)

Now at this time comes the said defendant and the said plaintiff being thee [sic] times called come not but makes default It is therefore considered by the court that the said plaintiff become non suit. And that

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the said defendant do recover against the said plaintiff his costs and charges in this behalf laid out and expended -

State of Indiana
on the relation of ~~William Latta~~ [sic])
)
William Latta -)
)
vs) Debt on bond
)
Samual Robinson)

Now at this time comes the parties and by agreement this cause is continued untill [sic] the next Term of this court

David Jewett)
)
vs) Trover
)
Daniel Stamp)

Now at this time comes the parties and thereupon the plaintiff ~~says he will no further proseeute~~ [sic]

and discontinues his said action It is therefore considered by the court that the said defendant be discharged and go hence without day. And that the said defendant do recover against the said plaintiff his costs and charges in this behalf laid out and expended

William Thompson)
)
vs) Case on appeal
)
Drusus Nichols)

Now at this time comes the said defendant and the said plaintiff being thee [sic] times called comes not but makes default It is therefore considered by the court that the said plaintiff become non suit And that the said defendant do recover against the said plaintiff his costs

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and charges in this behalf laid out and expended

John M. Brown)
)
vs) Debt on appeal
)
Jacob Miller)

Now at this time comes the ~~parties~~ [sic] plaintiff and the said defendant being three times solemnly called comes not but herein make default whereby the said plaintiff's action remains wholy [sic] unanswered and undefended And the said defendant having failed to prosecute his said appeal let the Judgment of the said Justice of the peace be affirmed, with ten percent damages & that the plain-

tiff recover against the defendant twenty two dollars & eighty three cents being the Judgment below and two dollars & ~~thirty~~ [sic] twenty eight cents ten per cent thereon making in all twenty five dollars & eleven cents. And it is therefore considered by the Court now here that the said plaintiff do recover against the said defendant his costs & charges in this behalf laid out and expended

Lester Wallis)
)
vs) Debt on appeal
)
John B. Kelly)

Now at this time comes the said defendant and the said plaintiff being three times solemnly called comes not but but [sic] herein makes default. It is therefore considered by the Court that the said plaintiff be non suited. And that the said defendant do recover against the said plaintiff his costs and charges in this behalf laid out and expended

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James Stamp)
)
vs) Replevin
)
Lester Wallis)

Now at this time comes the said plaintiff and discontinues his said action at his own costs - It is therefore considered by the court that the said defendant

do recover against the said plaintiff his costs and charges in this behalf laid out and expended -

Henry Rudisel)
)
vs) Debt on appeal
)
Isaiah Hughs)

By consent of parties this cause is continued

William P. Bromley)
)
vs) Debt on appeal
)
Wilber B. Maynard)

Now at this time comes the said plaintiff and the said defendant being three times solemnly called comes not but herein makes default whereby the said action remains unanswered and undefended And the said defendant having failed to prosecute his said appeal let the judgment of the Justice of the peace efore whom this cause was tried, be affirmed with ten per cent damages thereon & that the plaintiff recover against the said defendant forty dollars the Judgment below together with four dollars being ten per centum thereon making in aall forty four dollars - And that the said plaintiff do recover against the said defendant his costs and charges in this behalf laid out and expendant [sic]

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State of Indiana)
)
vs) Indt. for Riot
)
Samuel Dungan)
)
Jonas Dungan and) Now at this time comes Joseph L.
)
Isaiah Dungan) Jerinegan Esquire prosecuting the pleas of the State of Indiana in this behalf and the said Isaiah Dungan in his own proper person also comes, and for plea to the said indictment says he is not guilty in manner or form as therein he stands charged & thereupon, & thereupon [sic] the said Joseph L. Jennegan Esquire says he will no further prosecute the said indictment against the said Isaiah Dungan it is therefore considered by the court that the said Isaiah Dungan defendant as to said indictment go hence without day

State of Indiana)
)
vs) Forfeiture of Recognizance
)
Samuel Dungan)

Now at this time comes Joseph L. Jennegan prosecuting the pleas of the State of Indiana in this behalf and the said Samuel Dungan being three times Solemnly called comes not but herein make default whereby the said recognizance becomes forefeited [sic] and the said Samuel Dungan liable to pay to the said State of Indiana the said sum of twenty five dollars. It is therefore Considered by the Court that the said State of Indiana do recover against the said Samuel Dungan the said sum of twenty five dollars & the costs in

this behalf & it is ordered by the court that a Scire facias do issue against the said Samuel Dungan requiring him to be & appear before this court on the first day of the next term to shew cause if any he can why the State of Indiana should not have her execution against the goods & chattels lands & tenements of the said defendant to make the sum aforesaid

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taken and acknowledged) before me

I William Hern J.r do acknowledge myself replevin bail and security for the payment of the following Judgment and costs in ninety days W.m Hern Jr.

Jonathan Woodruff) vs Samuel Carl

Trespass on appeal

Now at this time, come now the parties by their attorneys, and thereupon issue having been Joined in said cause, for trial thereof the said parties put themselves upon the country. & thereupon the coroner of said county is commanded to bring into court a Jury to try the issue joined as aforesaid. And thereupon the said Coroner brings here into court the following pannel [sic] of Jurors Towit Henry J. Hall, Gardner Cutler, William Dewey, Daniel Harding, Ira Hays, Samuel A. Howard, Francis Forst, Isaac Carpenter James Hughes Eric Allen - Richard Furey, William

Seyburn, twelve good & Lawful men of LaGrange County, who being elected, tried & sworn, the truth to say upon the issue Joined as aforesaid, upon their oath aforesaid do find & say as follows, To wit We, the Jury find the defendant guilty & assess the plaintiff's damages at the Sum of eight dollars & forty six cents; & [sic] it is therefore considered by the court that the Said plaintiff recover of the Said defendant the Sum of Eight dollars & forty six cents, together with his costs & charges in this behalf laid out & expended.

Judge Sample having been employed as Counsel for the plaintiff previous to his appointment as Judge retired from the bench during the progress of [the] trial of this cause

Joshua T. Hobbes [sic])
)
vs) Assumpsit on appeal
)
Archer Matthews) Now at this time come the parties by their attorneys, & thereupon issue having been joined in Said cause, for trial thereof the said parties put themselves upon the country

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and thereupon a Jury comes towit - William P. Bromley - Caleb VanAsdal - Harvey Wood - Hiram Babcock - Birt Jewett - Losey Young - Daniel VanAntwerp - Henry E. Sweitzer - John Ewing - George F. Whittaker - & Jonathan Woodruff & Arthur Burrows twelve good and lawful men of the county aforesaid who being chosen tried and sworn the truth to say & a true verdict to

give upon the issue aforesaid upon their oath aforesaid do say & find ~~for~~ [sic] that the said defendant did not promise & undertake as the said plaintiff hath complained against him - And the plaintiff gives notice of a motion for a new trial -

And the court adjourned until tomorrow morning at 1/2 past 8 Oclock

(Signed 21 Septr. 1836)

Samuel C. Sample

Wednesday morning 9 oclock September 21st 1836. Court met pursuant to adjournment Present the same Judges and officers of the Court as on yesterday.

State of Indiana)
)
vs) On Recognizance forfeited
)
David J. Dungan)

Now at this time comes Joseph L. Jennegan Esquire prosecuting the pleas of the State of Indiana in this behalf and the defendant being three times solemnly Called Comes not but herein makes default Whereby the said recognizance become forfeited and the said defendant become liable to pay to the State of Indiana the said sum of ~~twenty~~ [sic] fifty dollars. It is therefore considered

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by the Court that the said State of Indiana do recover against the said defendant the said sum of fifty dollars besides hur [sic]

costs and charges in this behalf laid out and expended

State of Indiana)
)
vs) On Recognizance forefieted [sic]
)
Abel Chase)

Now at this time comes Joseph L. Jennegan Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant being rheee times solemnly Called David J. Dungan in discharge of his recognizance and required to ~~having~~ into court the body of ~~Jonas-Dungan~~ [sic] & comes not, but herein make default whereby the said recognizance is forfeited & the said defendant become liable to pay to the said State of Indiana the said sum of fifty dollars. It is therefore considered by the court that the said State of Indiana do recover against the said defendant the aid sum of fifty Dollars. And the costs and charges in this behalf laid out and expended -

State of Indiana)
)
vs) On Recognizance forfeited
)
Isaiah Dungan)

Now at this time comes Joseph L. Jernigan [sic] Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant being th ree times solemnly called and required to bring into court the body of Samuel Dungan in discharge of his recognizance - come not but herein

make default whereby the said recognizance become forfeited and the said Isaiah Dungan liable to pay to the said State

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of Indiana the said fifty Dollars It is therefore considered by the court that the State of Indiana do recover against the said Isaiah Dungan the said sum of fifty dollars besides hur [sic] costs and charges in this behalf laid out and expended -

Ordered by the court that Tuler Flemming coroner of this court be allowed twenty dollars for his services during the present term to be deducted from the anual [sic] Salary allowed for extra services to the Sheriff of this county to be certified to the board of commissioners -

State of Indiana	)	
	)	
on complaint of Joshua T. Hobbs	)	On Complaint ~~of~~
	)	
vs	)	~~Joshua T. Hobbs to~~ [sic]
	)	
Archer Mathews	)	Keep the peace

Now at this time comes ~~the~~ [sic] Joseph L. Jernigan Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper prson being brought before the court And the Court after examination of the said Joshua T. Hobbs complainant on oath, order that the said Archer Mathews be required to enter into recognizance in the sum of Five hundred Dollars conditioned to Keep the peace toward all the citizens of

this State and especially towards Joshua T. Hobbs and that he appear before the judges of this court at the next term thereof to answer to said charges & complaint - And that the said defendant Stand committed to the custody of the coroner of this court untill [sic] such recognizance be given. And in default thereof that the said coroner commit ~~the said~~ [sic] the said defendant to the Jail of this county there to be kept untill [sic] discharged by due course of Law - And thereupon the said coroner takes the defendant into custody -

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State of Indiana)
)
vs)
) On forfeiture of Reconizance -
~~David J.~~ [sic] Isaiah Dungan)

Now at this time comes Joseph L. Jennegan Esquire prosecuting the pleas of the State of Indiana in this behalf And the said defendant three times solemnly called and required to bring into court the body of ~~Samuel~~ [sic] David Dungan in discharge of his recognizance come not but herein wholly makes default whereby the said recognizance is forfeited and the said ~~Samuel~~ [sic] David Dungan become liable to pay to the said State of Indiana the said sum of fifty Dollars. It is therefore considered that the said State of Indiana do recover against the said Isaiah Dungan the said sum of fifty Dollars besides her costs and charges in this behalf laid out and expended

State of Indiana)
)
vs) On recognizance forefeited [sic]
)
Peter P. Mevirier [?])

Now at this time comes Joseph L. Jernegan Esquire prosecuting the pleas of the State of Indiana in this behalf and the said Defendant being three times solemly [sic] called and required to bring into court the body of David J. Dungan ~~and Isaiah Dungan~~ [sic] in discharge of his recognizance come not but herein make default, whereby the the [sic] said recognizance is forfeited and the said Peter P. Meviers [?] become liable to pay to the said State of Indiana the said sum of fifty dollars

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It is therefore considered by the court that the said State of Indiana do recover against the said Peter P. Mevirier [?] the said sum of fifty Dollars besides the costs ~~of the prosecution~~ [sic] and charges in this behalf laid out and expended

Joshua T. Hobbs)
)
vs) Assumpsit on appeal on Motion for New trial
)
Archer Mathews)

Now at this time comes the parties and thereupon the plaintiff moves the court to set aside the verdict and finding of the Jury aforesaid upon reasons shewn the court and after argument of counsel and the court having sufficiently advised of and concerning the premises

sustains said motion -

It is therefore ordered by the Court that the said verdict and finding of the Jury aforesaid be set aside and the costs abide the event of the suit. And a venirie de novo [sic] is awarded returnable to the next term of this court. & this cause is continued.

Frederick Hamilton)
)
vs) Trespass vi et armis
)
Ica F. Rice)
)
Oliver C. Ward)
)
Albert Powell)
)
Samuel Edsell)

Now at this time comes the parties and by agreement of the parties this cause is dismissed at the cost of the said Ica F. Rice. It is therefore considered by the court that the said plaintiff do recover against the said Ica F. Rice one of the

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defendants his costs and charges in this behalf laid out and expended

John Léverich)
)
vs) Ne exeat on Appeal
)
Daniel Stamp)

Now at this time comes the said plaintiff

and discontinues his said action at his own costs, which are now here paid

Frederick Hamilton)
)
vs) Trespass on Appeal
)
Samuel Edsell)

Now at this time comes the said plaintiff and the said defendant being rhree times solemnly called comes not but herein makes default whereby the said action [is] unanis unanswered [sic] and undefended And the said defendant having failed to prosecute his said appeal let the Judgment of the said Justice of the peace be affirmed with ten per cent damages thereon It is therefore considered by the court now here that the said plaintiff do recover against the said defendant the sum of fifty dollars being the Judgment below and the sum of five dollars, ten per cent thereon, making in all the sum of fifty five dollars besides his costs and charges in this behalf laid out and expended

I James McConnell do acknowledge myself replevin bail and security for the said Samuel Edsell for the payment of the above Judgment and costs and costs to accrue in one hundred and twenty days James McConnell

(Taken and approved by)
by [sic] the clerk of the
Lagrange circuit court this
21st day of Sept, 1836 J. T. Hobbs Clerk

Jacob Olmsted)
)
vs) Assumpsit
)
Jeremiah Tilletson) This cause is continued by operation of Law, the process not being served ten days before the first day of this term -

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September Term 1836.

John B. Kelly)
)
vs) Debt on appeal
)
William P. Bromley)

Now at this time comes the parties and the issue being Joined between the parties Whereupon the coroner of said county is commanded that he bring into court a Jury to try the issue between the parties Thereupon the coroner bring here into court the following pannel [sic] of Jurors to wit Henry J. Hall Samuel Cutler William Demsey Daniel Harding Ica Hays Samuel A. Howard Isaac Carpenter James Hufhs Eri Allen William Seyburn Birt Jewett Daniel VanAntwerp good and lawful men discreet free holders and householders of the said county of Lagrange who being elected tried and sworn the truth to say upon the issue joined aforesaid upon the thir [sic] oath do find and say We the Jury do find for the plaintiff the sum of fifty dollars in debt and one dollar seventeen cents in damages for the detention thereof making in all the sum of fifty one dollars

and seventeen cents. It is therefore considered by the court that the said plaintiff do recover against the said defendant the said sum of fifty one dollas [sic] seventeen cents as by the Jury aforesaid is found besides his costs and charges in this behalf laid out and expended

I William A. McNal do acknowledge myself replevin bail and security for the said defendant for the payment of the above Judgment and costs and costs to accrue in one hundred and twenty days. Wm A M^{C}Neal

Marvin M. Curtis)
)
vs) Trespass on appeal
)
Micajah Harding)
Jesse Harding Now comes the parties and the issue being Joined between the parties ~~af~~ [sic] and for trial thereof a Jury is waived ~~by~~

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~~the parties~~ [sic] and by agreement of parties this cause is submitted to the summary decision of the court and after hearing the evidence and the argument of counsel The court do find and say that the defendant Jesse Harding is guilty and assess the plaintiffs damages at five dollars and not guilty as to Micajah Harding the other defendant And now it appearing to the satisfaction of the court that the foregoing proceeding were had before this court at the last term thereof

and on the 7th day of April 1836, being the 4th Judicial day of said Term which were accidentally omitted to be entered on the order of [sic] book of this court Whereupon on motion of the plaintiff It is ordered by the court that the said proceedings and Judgment be entered upon the order book now as of them. Therefore it is considered by the court that the said plaintiff recover of the said defendant the sum of five dollars as above assessed besides his costs and charges in this behalf laid out and expended. The President Judge having been employed as consil [sic] for the said plaintiff before his appointment as Judge retires from the bench during the investigation of the this [sic] case

State of Indiana)
)
vs) On recognizance forfeited
)
Wilber B. Maynard)

Now at this time comes Joseph L. Jernegan Esquire prosecuting the pleas of the State of Indiana in this behalf and the said Wilber B. Maynard being three times solemnly called come not but herein make default whereby the said recognizance is forfeited and the said defendant become liable to pay to the State of Indiana the said sum of twenty five dollars. It is therefore considered by the court now here that the said

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State of Indiana do recover against the said defendant the

said sum of twenty five dollars besides her costs and charges in this behalf laid out and expended

State of Indiana)
)
vs) on recognizance forfeited
)
Wilber B. Maynard)

Now at this time comes Joseph L. Jernegan prosecuting the pleas of the State of Indiana in this behalf and the said defendant being three times solemnly called come not but herein make default whereby the said defendant become liable to pay to the said State of Indiana the sum of twenty five dollars the said recognizance being forfeited - It is therefore considered by the court that the said State of Indiana do recover against the said defendant the said sum of twenty five dollars besides her cost and charges in this behalf laid out and expended

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State of Indiana)
)
vs)
)
Wilber B. Maynard)

~~Ind--for-compounding~~ t [sic]

On forfieture [sic] of Recognizance

Now at this time comes Joseph L. Jernegan Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant being three times solemnly called come not but herein make default whereby the said recognizance is forfeited and the said defendant become li-

able to pay to the said State of Indiana the said sum of twenty five dollars It is therefore considered by the court that the said State of Indiana do recover against the said defendant the said sum of twenty five dollars besides her costs and charges in this behalf laid out and expended

State of Indiana)
)
vs) Ind.t for compounding Felony
)
Hiram Doolittle &)
)
Delos Garnet)

Now at this time comes Joseph L. Jernegan Esqr. prosecuting the pleas of the State of Indiana in this behalf and the said defendants in thir [sic] own proper persons also comes and being arraigned on said indictment for plea to said indictment, say that they are not guilty In manner and form as they therein stand charged and for trial thereof they put themselves upon the country and the said prosecutor doth the like - and by agreement of the said parties a Jury is waived and this cause is submitted for trial to the court. And after hearing the evidence and the argument of counsel the court do find and say that the said defendant Hiram Doolittle is guilty in manner and form as he therein stands charged in said indictment and assess his fine at the sum of six Dollars It is therefore considered by the court that

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the said State of Indiana do recover against the said defendant Hiram Doolittle the sum of Six Dollars as above assessed besides hur [sic] costs and charges in this behalf laid out and expended and that he stand committed to the custody of the ~~Sheriff~~ [sic] coroner untill [sic] said fine and costs are paid or replevied And the court do find the defendant Delos Garnet not guilty It is therefore considered by the court that the said Defendant Delos Garnet as to said indictment and offence [sic] go hence without day - Thereupon the said Doolittle pays and satisfies the said fine and costs - Rec.d $5.00 in full of my docket fee

Jos. L. Jernegan

State of Indiana)
)
vs) On forfeiture of Recognizance
)
Wilber B. Maynard)

Now at this time comes Joseph L. Jernegan Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant being three times solemnly called comes not but herein make default whereby the said recognizance is forfeited and the said defendant become liable to pay to the said State of Indiana the sum of twenty five dollars. It is therefore considered by the court that the said State of Indiana do recover against the said defendant the said sum of twenty five dollars besides her costs and charges

in this behalf laid out and expended

State of Indiana)
)
vs) On recognizance forfeited
)
Wilber B. Maynard)

Now at this time comes Joseph L. Jernegan Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant being three times solemnly called come not but herein make default. Whereby the said recognizance is forfeited and the said

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defendant become liable to pay to the said State of Indiana the sum of twenty five dollars It is therefore considered by the court that the said State of Indiana do recover against the said defendant the said sum of twenty five dollars besides hur [sic] costs and charges in this behalf laid out and expended -

State of Indiana)
)
vs) Ind.t for retailing Spiritous [sic] liquors
)
Harvey W. Wood) without License -

Now at this time personally appears in open court Harvey W. Wood and James McConnel and each acknowledged themselves to owe and be indebted unto the State of Indiana in the sum of twenty five Dollars to be levided of their respective goods and chattles [sic] lands and tene-

ments if default be made in the following condition which condition is that the said Harvey W. Wood shall personally be and appear before the Judges of this court on the first day of the next term thereof and answer to said indictment and abide the Judgment of the court thereon and not depart without leave thereof

State of Indiana)
)
vs) On indictment for Grand Larceny
)
John Fee)

Now at this time personally [come] in open court John Fee and Jonathan Gardner and Jointly and serverally acknowledged theirselves [sic] to owe and be indebted unto the State of Indiana in the sum of two hundred and fifty dollars to be levied of their respective goods and chattles [sic] lands and tenements

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if default be made in the following condition to wit which condition is that the said John Fee shall personally be and appear before the Judges of the Lagrange Circuit Court on the first day of the next term thereof to answer unto the State of Indiana on an indictment for Grand Larceny and abide the Judgment of the court thereon and not depart the Court without leave thereof then this recognizance is void

Joshua Pennell)
)
vs) Case
)
William Gale)

Now at this time comes comes [sic] the parties by their attorneys and upon suggestion of the death of the defendant this cause is abated. The president Judge retires from the bench at the hearing of this cause on account of his being employed as counsel for the defendant before his appointment as Judge

William Gale)
)
vs) Case on appeal
)
Joshua Pennell)

Now at this time comes the parties by their attorneys and upon suggestion to the court of the death of the plaintiff This cause is continued. Judge Sample retires from the bench on the hearing of this cause on account of having been imployed [sic] as counsel for plaintiff previous to his appointment as Judge

And the Court adjourned untill [sic] tomorrow morning [sic]
9 oclock Samuel C. Sample [sic]
Signed 22nd Septr. 1836 [sic]

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The Grand Jury now come into court and return sundry bills of indictment found by them as true bills & signed by their foreman as such and having further business retire to

their room under charge of their bailiff -

And the Court adjourned until tomorrow morning at 9 Oclock

Signed 22d Sept. 1836

Sam.l C. Sample

Thursday morning 9 oclock September 22nd 1836 Court met pursuant to adjournment the same Judges and officers of the court as on yesterday -

State of Indiana)
)
vs) On recognizance forfeited
)
Isaiah Dungan)

Now at this time comes Joseph J. Jernegan Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant now brings into court the body of the said Samuel Dungan, in discharge of his said recognizance And thereupon moves the court to set aside the forfeiture heretofore taken in this behalf, which motion the court now sustain. It is therefore considered by the court that the said forfeitures be set aside, at the costs of the defe-dnt and that the said State of Indiana do recover against the said defendant her costs and charges in this behalf laid out and expended

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September Term 1836

State of Indiana)
)
vs) Ind.t for retailing Spts
)
~~Wilber B.~~ [sic] Bernard Maynard) without License

Now at this time comes Joseph J. Jernegan Esqr. prosecuting the pleas of the State of Indian [sic] on this behalf and the said Bernard Maynard in his own proper person also comes and for plea to said Indictment says he can not gainsay or deny that he is guilty in manner and form as he stands indicted. Whereupon the court assess his fine at the sum of two Dollars. It is therefore considered by the court that the said State of Indiana do recover against the said said [sic] defendant the sum of two Dollars as above assessed besides her costs and charges in thia behalf laid out and expended And that he stand committed to the custody of the sheriff untill [sic] said fine and costs are paid or replevied

State of Indiana)
)
vs) Ind.t for retailing Spiritous [sic] liquors
)
Bernard Maynard) without License

Now at this time comes Joseph L. Jernegan prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and for plea to said Indictment says he cannot gainsay or deny that he is guilty in manner and form as he therein stands

indicted Whereupon the court assess his fine at the sum of two Dollars It is therefore considered by the court that the said State of Indiana do recover against the said defendant the sum of two Dollars as above assessed besides her costs and charges in this behalf laid out and expended And that the said defendant do stand committed to the custody of the sheriff untill [sic] said fine and costs are paid or replevied -

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September Term 1836

State of Indiana)
)
vs) Indictment for Selling Spirits without
)
Bernard Maynard) License

Now at this time comes Joseph L. Jernegan Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and for plea to said indictment says that he cannot gainsay or deny that he is guilty in manner and and [sic] form as he stands indicted. Whereupon the court assess his fine at the sum of two Dollars. It is therefore considered by the court that the said State of Indiana do recover against the said defendant the sum of two Dollars as above assessed besides her costs and charges in this behalf laid out and expended. And that he stand committed to the custody of the ~~sheriff~~ [sic] coroner of this court untill [sic] said fine and costs are paid or replevied

State of Indiana)
)
vs) Indictment for retailing Spirits without
)
Bernard Maynard) License

Now at this time comes Joseph L. Jernegan Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and for plea to said Indictment says that he cannot gainsay or deny that he is ~~not~~ [sic] guilty in manner and form as he therein stands charged. Whereupon the court assess his fine at the sum of two Dollars. It is therefore Considered by the Court that the state of Indiana do recover against the said defendant the sum of two dollars as above assessed besides the Costs and charges in this behalf laid out and expended, and that he stand committed to the Custody of the Coroner of this court untill [sic] said fine & costs are paid or Replevied

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State of Indiana)
)
vs) Ind.t for retailing Spirits without
)
Bernard Maynard) License

Now at this time comes Joseph L. Jernegan prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and for plea to said indictment says he cannot gainsay or

deny that he is guilty in manner and form as he stands charged in said indictment whereupon the Court assess his fine at the sum of two Dollars It is therefore considered by the court that the said State of Indiana do recover against the said defendant the sum of two dollars as above assessed besides hur [sic] costs and charges in this behalf laid out and expended and that he stand committed to the custody of the Sheriff untill [sic] said fine and costs are paid or replevied -

State of Indiana)
)
vs) Ind.t for retailing Spirits without
)
Bernard Maynard) License

Now at this time comes Joseph L. Jernegan prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and for plea to said indictment says he cannot gainsay or deny that he is guilty in manner and form as he stands indicted. Whereupon the court assess his fine at the sum of two Dollars It is therefore considered by the court that the said State of Indiana do recover against the said defendant the sum of two dollars as above assessed besides hir [sic] costs and charges in this behalf laid out and expended and that said defendant stand committed to the custody of the Sheriff untill [sic] said fine & costs are paid or replevied

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George F. Whitaker)
)
James McConnell)
)
vs) Bill in Chancery for Deed
)
Joshua T. Hobbs)

Now at this time comes the parties and thereupon the defendant files his demurrur [sic] to the said complainants bill of complaint in these words (here insert it) And the said complainants confess said demurrur [sic], and ask leave of the court to amend said bill of complaint, at their own property costs, within Sixty days, which leave is granted by the Court - and this cause is continued -

Joseph L. Jernegan Esqr. prosecutor being about to leave the Court for the present term, John B. Howe is appointed appointed [sic] prosecuting attorney pro tempore for the remaining part of this term and is sworn as such -

And the Court adjourn untill [sic] tomorrow morning 9 oclock -

Signed on the 23rd day of September 1836 -

Ephraim Seely

Luther Newton

Friday morning September 23rd 1836 court met pursuant to adjournment, present Luther Newton and Ephraim Seely Judges J. T. Hobbs Clerk & Tyler Flemming Coroner -

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September Term A. D. 1836.

State of Indiana)
)
vs) On recognizance forfeited
)
David J. Dungan)

Now at this time comes J. L. Jernegan Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant also comes in discharge of his said recognizance and moves the Court to set aside the forfeiture heretofore taken against him in this behalf which motion the Court sustain. It is therefore ~~een~~ [sic] ordered by the court that the said forfieture [sic] be set aside at the costs of the said defendant. It is therefore considered by the court that the state of Indiana do recover against the said defendant the costs and charges in this behalf laid out and expended

State of Indiana)
)
vs) On recognizance forfeited
)
Abel Chase)

Now at this time comes Joseph L. Jernegan prosecuting the pleas of the State of Indiana in this behalf and the said defendant also comes and brings into court the body of Sam.[1] Dungan in discharge of his recognizance and thereupon moves the court to set aside the forfeiture heretofore taken against him this behalf which motion the court sustain

It is therefore orderded [sic] by the court that the said forfeiture be set aside at the costs of the said defendant. And it is considered by the Court that the said State of Indiana do recover against the said defendant her costs and charges in this behalf laid out and expended

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September Term 1836

State of Indiana)
)
vs) on recognizance forfeited
)
Samuel Dungan)

Now at this time comes Joseph L. Jernegan Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes ~~and for plea to said indictment~~ [sic] in discharge of his said recognizance and moves the court to set aside the forfieture [sic] heretofore taken against him in this behalf, and it is therefore ordered by the court that the said forfeiture be set aside at the costs of the said defendant. It is therefore considered by the court that the said State of Indiana do recover against the said defendant the costs and charges in this behalf laid out and expended -

State of Indiana)
)
vs) On recognizance forfeited
)
Peter P. Mcovier [?])

Now at this time comes the prosecuting attorney

in this behalf and the said defendant also comes and brings into court the body of the said Jonas Dungan in discharge of his recognizance. And thereupon moves the court to set aside the forfeiture heretofore taken in this behalf, which motion the court sustain Whereupon It is ordered by the court that the said forfeiture be set aside at the Costs of the said defendant. It is therefore considered by the court that the said State of indiana [sic] do recover against the said defendant the the [sic] costs costs [sic] and charges in this behalf laid out and expended -

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September Term 1836

The Grand Jury now ~~bring~~ [sic] comes into court ~~the~~ [sic] and ~~present~~ [sic] return sundry bills of indictment found by them as true bills and signed by thir [sic] foreman as such also a report of the condition of the county Jail And having no further business are discharged -

State of Indiana)
)
vs) Recogniaance forfeited
)
~~Bernard~~ [sic] Wilber B. Maynard)

Now comes the parties and thereupon the said defendant moves the Court to set aside the forfeiture heretofore taken against him in this behalf. Which motion the Court sustain. It is therefore considered that the said forfeiture be set aside ~~and~~ [sic] at the Costs of the said defendant -

State of Indiana)
)
vs) Recognizance forfeited
)
Wilbur B. Maynard)

Now come the parties, and thereupon the said defendant moves the court to set aside the forfeitures heretofore taken against him in this behalf which motion the Court sustain It is therefore considered by the Court that the said forfieture [sic] be set aside at the costs of the said defendant.

State of Indiana)
)
vs) On recognizance forfeited
)
Wilber B. Maynard)

Now comes the parties and thereupon the said defendant moves the court to set aside the the [sic] for

p. 63 September Term 1836.

feiture heretofore taken against him in this behalf. Which motion the court sustain. It is therefore ordered by the Court that the said forfeiture be set aside at the Cost of the said defendant.

State of Indiana)
)
vs) Recognizance forfeited
)
Wilber B. Maynard)

Now comes the parties and thereupon the

said defendant moves the Court to set aside the forfieture [sic] heretofore taken against him in this behalf which motion the court sustain It is therefore ordered by the court that the said forfeiture be set aside at the costs of the said defendant.

State of Indiana)
)
vs) On recognizance forfeited
)
Wilber B. Maynard)

Now comes the partes [sic] and thereupon the said defendant moves the court to set aside the forfeiture heretofore taken against him in this behalf which motion the court sustain - It is therefore considered by the court that the said forfeiture be set aside at the costs of the said defendant.

State of Indiana)
)
vs) On recognizance forfieture [sic]
)
Wilber B. Maynard)

Now come the parties and thereupon the said defendant moves the court to set aside the forfeiture in this behalf heretofore taken against him which notion [sic] the court sustain It is therefore considered by the court that the said forfeiture be set aside at the costs of the said defendant -

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Ordered by the Court that writs of Capias adrespondendum [sic]

issue upon all indictments found by the Grand Jury at this term - and thereon all bills for making fraudulent deed bail in the sum of one hundred dollars to be required by the sheriff and in all others, recognizance in the sum of twenty five dollars with security in the like sum -

A General rule is granted to take depositions both within and out of this State -

Luther Newton and Ephraim Seely Esquires are allowed by the Court the sum of ten dollars each for services as as [sic] associate Judges during the present term Allowed Frederick Hamilton and William Ingraham each four dollars for services as bailiff during the present term of this court -

Ordered by the court that a certified copy of the report of the grand Jury made at the present term of this court of the condition of the county jail be made out by the clerk, together with a copy of this order under the Seal of this court and laid before the board of commissioners of this county at thir [sic] next Session And the said board of county commissioners are hereby ordered to cause the said Jail to be immediately repaired and put into a condition for the safe keeping and health of prisoners agreeably to the suggestion of the said Grand Jury, or shew [sic] cause to this court at the next Term thereof why this ordered [sic] is not complied with

All pleas plaints and prosecutions not otherwise disposed of stand continued to the next term of this court -

Ordered by the court that Silas Powell be allowed one Dollar as bailiff in charge of Petit Jury -

State of Indiana)
)
vs) On recognizance to Keep the peace
)
Henry Miller) The said defendant is discharged by the court from his said recognizance

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September Term 1836

And the court adjourned sine die

Signed on the 23rd day of September A. D. 1836.

Ephraim Seely

Luther Newton

p. 66

May Term 1837

At a Term of the Lagrange ~~County~~ [sic] Circuit Court began [sic] and held within and for ~~said county~~ [sic] the County of Lagrange State of Indiana at the court house in the Town of Lima in said county on Monday the 1st day of May, in the year of Oue Lord 1837. Present the Honorable Charles W. Ewing president Judge of the Eighth Judicial Circuit of the State of Indiana also present Ephraim Seely and

Luther Newton Esquires Associate Judges of the Lagrange Circuit Court - Joshua T. Hobbs Clerk of said Court and William Phelps Sheriff of said County.

The Honorable Charles W. Ewing presdident Judge now produces his commission as such from the Governor of this State upon which is endorsed an oath to Support the Constitution of the United States and the Constitution of the State of Indiana also an oath in due form of Law

William Phelps Sheriff of Lagrange County Now brings into court the following pannel [sic] of Grand Jurors summoned by virtue of a venirie [sic] facias heretofore to him directed to wit. John B. Clark who is by the Court appointed foreman and is sworn as such Edward Robbins Than H. Codding Jonas Tillepaw, Mathias McNeal George Egnew Robert Johnson John Knott Hiram L. Johnson Silas Thrailkill Jonathan Gard- [sic] ner Loftus Alvord Wiseman Ford James Campbell John G. Cole [sic] nine in number & no more of the persons named in the vonirie [sic] facias aforesaid, answering to their names when called the said Sheriff by order of the court now summons & places on the pannel [sic] of grand Jurors, the following bystanders to wit. Silas Thrailkill Jonathan Gardner Loftus Alvord Wiseman Ford James Campbell John G. Cole and Samuel Robinson seven in number who with the aforesaid nine make sixteen, good and Lawful men householders and free holders of the County of Lagrange

p. 67 aforesaid, who being empannelled [sic] charged and sworn well and truly to enquire in and for the body of the County of Lagrange aforesaid, return to deliberate upon thir [sic] duties under the charge of Peter L. Mason, a sworn bailiff of this court -

Ordered by the court that the sheriff of this county purchase a suitable stove for the use of the court room, at the expense of the County and place the same in the Court room by tomorrow morning

State of Indiana)
)
vs) AB -
)
Ica F. Rice)

Now comes ~~the~~ [sic] Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and upon his motion an alias capias is awarded by the court.

It is ordered that it be certified of record that Thomas Eastman Johnson is a man of good moral character

William Phelps Sheriff of Lagrange County now produces his commission as such from Governor of this State upon which is endorsed in due form of Law an Oath to support the constitution of the United States and of the state of Indiana also an oath of office as required by law.

Thomas Johnson Esquire now produces his commission as

prosecutor of the Eighth Judicial Circuit of the State of Indiana upon which is endorsed in due form of Law

p. 68 an oath to support the constitution of the United States and of the State of Indiana also an oath of office as required by Law

Peter L. Mason is swon [sic] as bailiff to the Grand Jury during the present Term

And the court Adjourned until tomorrow morning 9 oclock

Signed the 2nd day of May 1837

C. W. Ewing

Tuesday morning 9 o'clock court met pursuant to adjournment present as yesterday the same judges and officers and Court was opened in due form of Law May 2nd 1837

Aquilla G. Stout, Felix Ingoldsby [Connely] James Boisseau and James E. Comely) parties transacting business under the name firm and Styl [sic] of Stout Ingoldsby & Co.

vs

Drusus Nichols

Debt.

Now at this day here comes the plaintiffs by Jonathan A. Liston their attorney and the said defendant in his own proper person comes also, and the said defendant now here freely confesses and acknowledges in open

Court the cause of action (here insert the declaration) that he is justly indebted to the said plaintiffs by promissory

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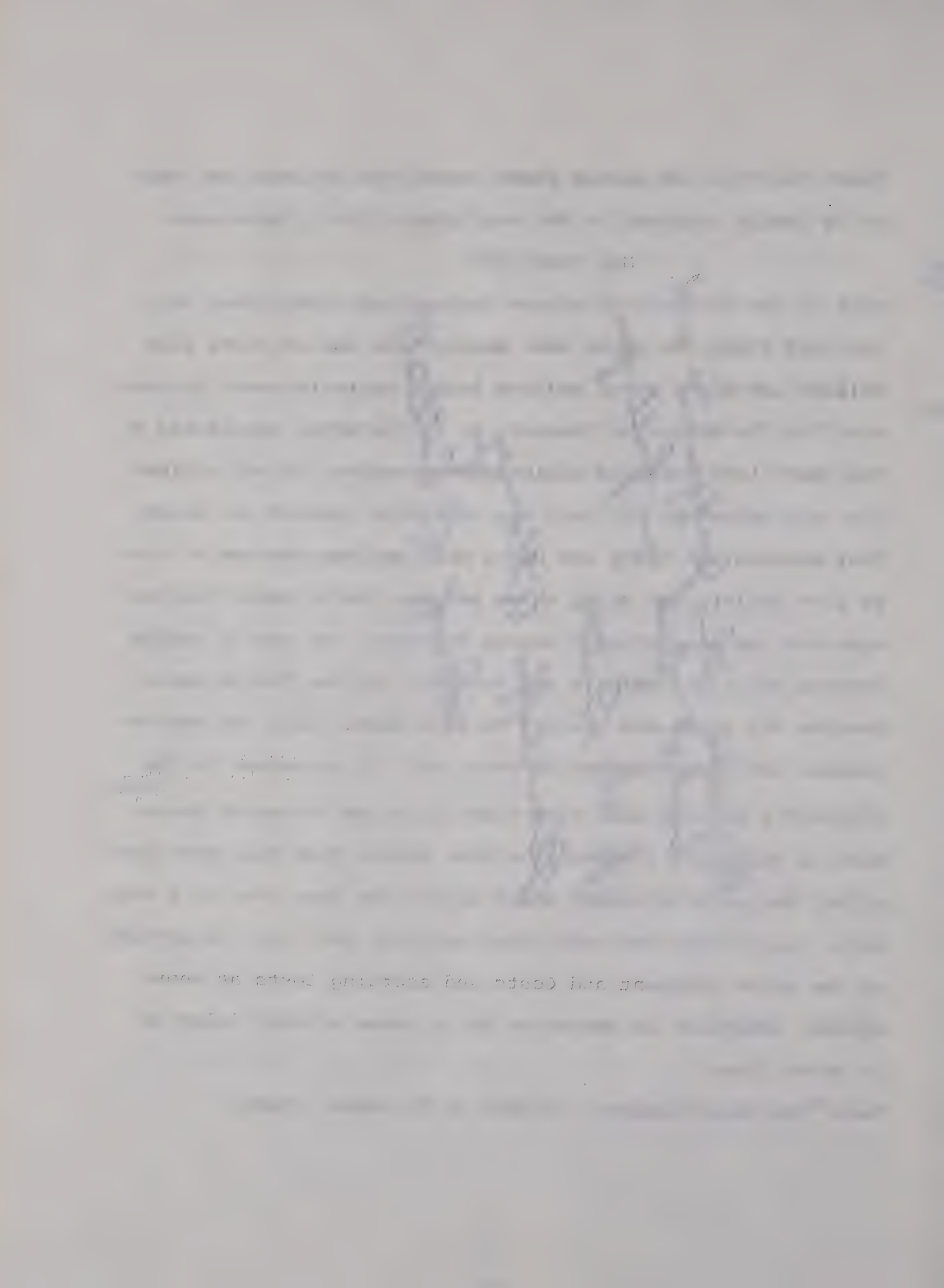
note in the full sum of eleven hundred and ninety four dollars and fifty one Cents debt besides the sum of sixty five dollars and sixty three and one fourth cents interest in damages [sic] for the detention thereof. It is therefore considered by the court that the said plaintiffs do recover of and against the said defendant the said sum of eleven hundred and ninety four dollars and fifty one Cents debt besides the sum of sixty five dollars and sixty three and one fourth Cents his damages due him as aforesaid making together: the sum of twelve hundred and sixty dollars and fourteen and one fourth cents; besides his costs and charges in this behalf laid out and expended, and the defendant in mercy &c: It is agreed by the plaintiffs in this suit [sic] that there is to be a stay of Execution on the above judgment for nine months from this date provided, the said defendant shall within ten days from this date enter into a good and sufficient replevin Bail for the payment of the above judgment and Costs and accruing Costs as above agreed, otherwise an Execution is to issue without delay as in other Cases

Recv.d the above Judgment in full J. T. Hobbs Clerk



Jocob Omstead)
)
vs) Assumpsit
)
Demerry Tillottson)

Now comes the plaintiff and this cause is continued by operation of Law. -

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May Term 1837

State of Indiana)
)
on the relation of -)
)
William Latta)
)
vs) Debt on Bond
)
Samuel Robinson)
)
James Leverich)
)
William Thrall)

Now comes the ~~plaintiff~~ [sic] parties and the said defendants say nothing in bar on procedure of the said plaintiffs action

p. 71

May Term 1837

State of Indiana)
)
vs) on indictment for Assault & Battery -
)
George Willode)

Now comes ~~the~~ [sic] Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and on his motion an alias capias is awarded against the said defendant to the sheriff of this county. And this cause is continued - And a rule is granted against the sher-

iff of Stuben [sic] County to shew cause on the first day of the next term of this court why the capias heretofore awarded in this case is not returned

Henry Rudesel)
)
vs) Debt on Appeal
)
Isaiah Hughs)

Now comes the said parties and upon agreement this cause is dismissed at the Costs of the plaintiff. It is therefore considered by the court that the said defendant Isaiah Hughs recover against the said plaintiff Henry Rudesil his costs and charges in this behalf laid out and expended -

Robert Dayton admistrator [sic])
)
of George Bulmer deceased) Trover
)
vs) Now comes the plaintiff by
)
Jesse Stayner) his attorney, and also came Henry Cooper and as a friend to the court here moves the court to discharge Jacob Stayner special bail for said defendant from all liability as such special bail for said defendant on the writ in this action and to have an executor entered on the recogniza[n]ce of Special bail in said suit, which is granted. It is therefore considered by the court that the said Jacob Stayner the said bail as to the said recognizance and writ go hence thereof without day.

And thereupon, the said defendant by Henry Cooper his attorney, came and prayed oyer of the letters

p. 72 May Term A. D. 1837 2nd day

of administration of the said plaintiff as refered [sic] to in said plaintiff's declaration, which prayer is granted and said letters filed in open Court. And thereupon the said defendant filed his two several pleas to the said plaintiff's declaration in these words; (here insert) and day is given.

Samuel Grenoe)
)
vs) Trover
)
William P. Bromley)

Now at this time comes the plaintiff and the defendant being three times solemnly called and required to ~~defendant~~ [sic] this action aforesaid comes not but herein makes defaut [sic]. It is therefore considered by the court here that the said plaintiff Samuel Grenoe have and recover against the said defendant William P. Bromley ~~judgment~~ [sic] his damages in this behalf, but because the court here is not advised of the damages aforesaid it is ordered that a writ of enquiry do issue returnable instanter to assess the damages aforesaid

William P. Bromley)
)
vs) Debt on Appeal
)
George Wirick) [sic]

Now at this time comes the said defend-

ant and the said plaintiff and the said plaintiff and prosecute [sic] [sic] the action aforesaid being called comes not. It is therefore considered by the court that the said plaintiff become non-suit - It is therefore considered that the said defendant [sic] do recover of the Said plaintiff his costs & charges by him about his Suit in this behalf laid out & expended - [sic]

George Bridges)
)
vs) Case
)
William Thrall)
)
Alossius [sic] Thurston) Continued and an alias capias is by the court awarded

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May Term 1837

John Kromer)
)
vs) Debt on appeal
)
William P. Bromley)

Now at this time comes the parties and the ~~defendant~~ [sic] plaintiff move the court to dismiss this cause for want of a transcript - which motion the court sustain. It is therefore considered by the court that the said ~~defendant~~ [sic] plaintiff do recover against the said defendant his costs and charges in this behalf laid out & expended

F. J. Norton)
)
vs) Debt on Appeal -
)
George F. Whitaker)

Now at this time comes the parties froesaid and on motion of defendant this cause is dismissed at the costs of the plaintiff It is therefore considered by the court that the defendant do recover against the said plaintiff his costs and charges in this behalf laid out and expended

Powell & Haskins)
)
vs) Attachment On appeal
)
Frederick Hamilton)
)
garnishee)

Now at this time comes the parties and by agreement this cause is dismissed at the costs of Plaintiff. It is therefore considered by the Court that the said defendant do recover against the said ~~defendant~~ [sic] plaintiff his costs and charges in this behalf laid out and expended

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May Term 1837

State of Indiana) On Indictment for an
)
vs) ~~Assault & Battery~~ [sic]
)
Harvey W. Wood) retailing to to [sic] Spaulding

Now at this time comes ~~the~~ [sic] Thomas John-

son Esquire prosecuting the pleas of the State of Indiana in this behalf and the said Harvey Wood defendant in his own proper person also comes and ~~for-plea-to-said~~ [sic] being arraigned on the indictment aforesaid Indictment [sic] and it being demanded of him how he would acquit himself of the indictment aforesaid says that he cannot gainsay or deny that he is guilty in manner and form as he stands charges in said indictment. Whereupon the Court assess his fine at the sum of Ten dollars. It is therefore considered by the court that the said State of Indiana do recover against the said defendant the said sum of Ten dollars as above assessed besides her costs and charges in this behalf laid out & expended & the defendant in mercy &c And it is hereby ordered by the court that the said defendant do stand committed to the custody of the Sheriff untill [sic] said fine & costs are paid or replevied

State of Indiana on)
)
complaint of Joshua T. Hobbs)
)
To Keep the peace -)
)
vs) Recognizance to Keep the peace -
)
Archer Mathews)

Now at this time comes ~~Thomas Johnsen~~ [sic] the said ~~complainant-prosecuting-attorney~~ [sic] parties, ~~and-the-said-defendant-also-comes~~ [sic] & by consent

of the parties aforesaid ~~the-said-defendant-is-discharged-from said-recognizance~~ [sic] this cause is dismissed at the defendants costs. It is therefore considered by the court that the said plaintiff do recover against the said defendant her costs and charges in this behalf laid out and expended & the said defendant as to said offense go hence without day

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May Term 1837

State of Indiana)
)
vs) Indictment for an affray
)
Morris Haskins)
)
Ica F. Rice -)

Now at this time comes ~~the~~ [sic] Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said Morris Haskins in his own proper person also comes. ~~And~~ [sic] and being arraigned upon the indictment aforesaid and it being demanded of him how he would acquit himself thereof for plea to ~~said-Indictment~~. ~~Indictment~~[sic] thereto says he is not guilty in manner and form as he stand/indicted [sic]. And for trial thereof a Jury is waived and this cause is by agreement of the parties submitted to the summary decision of the court. And the court after hearing the evidence and due deliberation thereon being had find the defendant not guilty. It is therefore considered by the court that the said defendant as to said In-

dictment and offence [sic] go hence acquit without day -

Abraham Cole)
)
vs) Trespass on Appeal
)
William Adair)
)
William Adair Jnr)
)
Georg[e] W. Adair)

Now at this time comes the parties and on motion of defendants a rule is granted on the plaintiff to file a sufficient appeal bond by tomorrow morning & day is given

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May Term 1837

Joshua T. Hobbs)
)
vs) Trespass vi et Armis
)
Archer Mathews)

Now at this time comes the paties [sic] aforesaid and by agreement thereof, this cause is dismissed, at the costs of the defendant. It is therefore considered by the court that the said plaintiff do recover against the said defendant his costs and charges by him in this behalf laid out and expended

Isaac Spencer)
)
vs) Assumpsit
)
Simpson Cummins)

Now at this time comes the parties aforesaid

and by thir [sic] agreement ~~thereof~~ [sic] this cause is dismissed at the costs of the plaintiff

It is therefore considered by the court that the said defendant do recover against the said plaintiff his costs and charges in this behalf laid out and expended

Drusus Nichols)
)
vs) Assumpsit
)
William Hall)

Now at this time comes the parties aforesaid, and the said defendant files his two several pleas to the said plaintiffs declaration this behalf ~~and day is given~~ [sic] in these words (here insert them) & day is given

James Leverich)
)
vs) Debt on Appeal
)
Micajah Harding)
)
Micajah Harding Jnr) Now comes the parties aforesaid and upon motion of defendants a rule is granted on the plaintiff to file a sufficient appeal bond by day after tomorrow & day is given

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Albert Powell & David G. Haskins)
)
vs) Ne Exeat on Appeal
)
John Franklin)

Now at this time comes the parties and by thir [sic] agreement ~~thereof~~ [sic] this cause is dismissed at the costs of the said plaintiffs It is therefore considered by the court that the said defendant do recover against the said plaintiffs his costs and charges in this behalf laid out and expended

Samuel Grenoe)
)
vs) Trespass on Appeal
)
Albert Powell)
)
Rollin Hewett)

Now at this time comes the parties aforesaid and on plaintiffs motion a rule is granted against Micajah Harding the Justice of the peace before whom this cause was tried to certify a full and perfect Transcript of the Judgment and proceedings had before him in this cause by the next calling of this cause and day is given

R. B. Phelps)
)
vs) Debt on appeal -
)
Abram Cole)

Now at this time comes the parties aforesaid and on motion of plaintiff a rule is granted against Francis F. Jewett the Justice before whom this cause was originally tried to amend his certificate to the said transcript by the next calling of this cause & day is given

Drusus Nichols)
)
vs) Assumpsit
)
Moses Chapman)

Now comes the said parties and the ~~plaintiff~~ [sic] defendant & files his demurrur [sic] to the said plaintiffs declaration in these words (here insert it) & day is given

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May Term 1837

Isaac Spencer)
)
Reuben J. Dawson)
)
vs) Assumpsit
)
George F. Whitaker)

Now at this time comes the parties aforesaid and thereupon the said defendant files his ~~first-~~ [sic] plea to the said plaintiffs declaration in these words (here insert it) and the said plaintiffs file thir [sic] replication[?] in these words (here insert it) And day is given the parties -

Willis Haskins Assigner [sic])
)
of E. M. Haskins)
)
vs) Assumpsit
)
George F. Whitaker)
)
Francis F. Jewett)

Now at this times [sic] comes the parties aforesaid and on motion of said defendants the

recognizance of special bail is set aside and the said special [bail] is now discharged from all liability.

Erastus M. Haskins)
)
vs) Assumpsit
)
George F. Whitaker)
)
Francis F. Jewett)

Now at this time comes the parties aforesaid and on motion of the said defendants the recognizance of Special bail is set aside and the said special bail is now discharged from all liability

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May Term 1837

On motion of Thomas Johnson Esquire ~~Themas~~ [sic] James Easton Johnson Esquire is admitted an attorney and counsellor at Law at the bar of this court during the present Term and is sworn as such he having provided to the court a License from the Superior Court of the State of New York as an attorney & counsellor of Law of that State

State of Indiana)
)
vs) On forfeiture of recognizance -
)
Morris Haskins)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant being three times solemnly called comes not but herein makes default whereby the

said recognizance is ~~becomes~~ [sic] forfeited and the said defendant become liable to pay to the said State of Indiana the said sum of twenty five dollars It is therfore [sic] considered by the court that the said State of Indiana do recover against the said defendant the said sum of twenty five dollars in said recognizance mentioned besides her costs & charges in this behalf laid out & expended and it is ordered by the court here that a Scire facias do issue against the said Morris Haskins requiring him to be and appear before the judges of the Lagrange circuit court on the first day of the next term of said court to shew reason why the State of Indiana shall not have her execution against the goods and chattles [sic] lands and tenements of the said Morris Haskins to make the said sum of twenty five dollars an[d] also the costs aforesaid

State of Indiana)
)
vs) on recognizance forfeited
)
Morris Haskins)

Now at this time comes the [sic] Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant being three times solemnly called come not whereby the said recognizance is forfeited and the said defendant become liable to pay to the said State of Indiana the said sum of Twenty five dollars the sum mentioned in said recognizance. It is therefore considered by the court

Striken [sic] out

that the said State of Indiana do recover against the said defendant the said sum of twenty five dollars besides her costs and charges in this behalf laid out & expended

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May Term 1837

State of Indiana)
)
vs) on recognizance forfeited
)
Erastus Haskins)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant being three times solemnly called to [sic] required to bring into court the body of Morris Haskins in discharge of his recognizance come not, but herein make defaut [sic] whereby the said recognizance is is [sic] forfeited and the said ~~State of Indiana~~ [sic] defendant become liable to pay to the said State of Indiana the said sum of twenty five dollars, It is therefore considered by the court that ~~that~~ [sic] the said State of Indiana do recover against the said defendant the said Sum of twenty five dollars besides her costs and charges in this behalf laid out and expended

State of Indiana)
)
vs) On recognizance forfeited
)
Erastus Haskins)

Now at this time comes Thomas Johnson Esquire

striken [sic] out

striken [sic] out

prosecuting the pleas of the State of Indiana in this behalf and the said defendant being three times solemnly called and required to bring into court the body of Morris Haskins in discharge of his recognizance come not but herein make defaut [sic]. Whereby the said recognizan [sic] is forfeited and the said defendant become liable to pay to the said State of Indiana the said sum of twenty five dollars It is therefore considered by the court that the said State of Indiana do recover against the said defendant the said sum of twenty five dollars besides her costs & charges in this behalf laid out & expended

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May Term 1837

State of Indiana)
)
vs) on recognizance forfeited
)
Harvey W. Wood)

striken [sic] out

Now at this time comes the [sic] Thomas Johnson prosecuting the pleas of the State of Indiana in this behalf and the said defendant being three times solemnly called come not but herein make default Whereby the said recognizance is forfeited and the said defendant become liable to pay to the said State of Indiana the said sum of twenty five dollars - It is therefore considered by the court that the said State of Indiana do recover against the said defendant the said sum of twenty five dollars besides here [sic]

costs and charges in this behalf laid out and expended -

State of Indiana)
)
vs) on recognizance forfeited
)
George F. Whitaker)

Now at this time comes Thomas Johnson prosecuting the pleas of the State of Indiana in this behalf and the said defendant being three times solemnly called and required to bring into court the body of Harvey W. Wood in discharge of his recognizance comes not but herein makes defaut [sic] Whereby the said recognizanc [sic] is forfeited & the said defendant become liable to pay to pay [sic] to the said State of Indiana the said sum of Twenty five dollars. It is therefore considered by the court that the said State of Indiana do recover against the said defendant the said Sum of twenty five dollars besides her costs and charges in this behalf laid out & expended

striken [sic] out

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May Term 1837

State of Indiana)
)
vs) on indictment for vending foreign merchandize
)
Drusus Nichols) Now at this times [sic] comes Thomas Johnson prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes who being arraigned upon the indictment aforesaid and it being demanded of him how he will acquit himself hereof

~~for plea thereto~~ [sic] ~~and~~ [sic] for plea to said Indictment says he is not guilty in manner & form as he stands charged in said Indictment & for trial thereof this cause is by agreement ~~of parties a jury is waived and this cause is~~ [sic] submitted to the summary decision of the court, a jury in this behalf being waived by the partes [sic] And the court after hearing the Testimony and the argument of counsel do find and say that the defendant is guilty in manner and form as he stands charged in Said indictment, and assess his fine at the sum of Six cents It is therefore considered by the court that the said State of Indiana do recover against the said defendant the said sum of Six cents as above assessed besides her costs and charges in this behalf laid out and expended. And it is ordered by the court that the said defendant do Stand committed to the custody of the sheriff untill [sic] said fine and costs are paid or replevied

State of Indiana)
)
vs) On indictment for vending foreign
)
Drusus Nichols) goods without License

Now at this time comes Thomas Johnson prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and being arraigned upon the Indictment aforesaid for plea thereto says that he cannot gainsay or deny but that he is guilty in manner and form as he stands indicted. Whereupon the court assess

his fine at the sum of six cents It is therefore considered by the court that the said ~~defendant~~ [sic] State of Indiana do recover against the said defendant the said sum

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of six cents besides hur [sic] costs and charges in this behalf laid out and expended and that ~~he~~ [sic] said defendant stand committed to the custody of the sheriff untill [sic] said fine and costs are paid or replevied

State of Indiana)
)
vs) Indictment for vending goods without
)
Drusus Nichols) License

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and being arraigned upon the indictment aforesaid for plea thereto says that he cannot gainsay or deny but that he is guilty in manner and form as he stand [sic] charged in said Indictment Whereupon the court assess his fine at the sum of Six cents. It is therefore considered by the court that the said State of Indiana do recover against the said defendant the said sum of Six cents besides her costs and charges in this behalf laid out and expended. And that the said defendant do stand committed to the custody of the Sheriff untill [sic] said fine and costs are paid or replevied

State of Indiana)
)
vs) Assault & Battery
)
Archer Mathews -)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant In his own proper person also comes and being arraigned upon the indictment aforesaid, for plea Thereto says That he cannot gainSay or deny that he is guilty in manner and form as he Stand charged in said Indictment. Whereupon

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the court assess his fine at the Sum of Twenty five dollars. It is therefore considered by the court that the said State of Indiana do recover against the said defendant the said Sum of Twenty five dollars as above assessed besides her costs and charges in this behalf laid out and expended And that the said defendant do stand committed to the custody of the Sheriff of said county untill said fine & costs are paid or replevied. & Thereupon here comes in open court William Mathews and acknowledges himself replevin bail and security for the Said fine and costs & accruing costs, in three months from this date -

striken [sic] out

State of Indiana)
)
vs) On five Several Indictmemts for retail [sic]
)
Joel Leverich)

Spiritous [sic] liquors

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf on whose motion these several causes are continued and an alias capias in the said several indictment [sic] is awarded

State of Indiana)
)
vs) Assault and Battery
)
Joel Leverich)

No motion of Thomas Johnson Esquire prosecuting attorney this cause is continued and an alias capias awarded directed to the sheriff of Lagrange County

John C. Kinney) Sci fa. on the transcript from
)
vs) the docket of a Justice of the peace -
)
James Sommers)

Now comes the said plaintiff by his attorney and it appearing to the court by the

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Sheriffs return to said writ of Levia [levari] facias that the said defendant is not found. It is therefore ordered by the court that an alias Levari facias be issued directed to the sheriff of this county and this cause is continued -

State of Indiana)
)
vs) Indictment for retailing Spiritous [sic]
)
Morris Haskins) Liquors without a license

Now at this time comes Thomas Johnson prosecuting the pleas of the State of Indiana in this behalf and the said defendant also comes who being arraigned upon said indictment and it being demanded of him how he will acquit himself hereof and for plea to said Inditment [sic2 says he is not guilty. Thereupon the said prosecutor moves the court to continue this cause on account of the absence of witnesses which motion is by the court Sustained

It is ordered by the court that an attachment issue against David Jewett for contempt in refusing or failing to appear in obedience to the prociss [sic] of this court wherein he was summoned as a witness in behalf of the State of Indiana on a prosecution against Morris Haskins for retailing Spiritous Liquors without License - and that he be required to enter into recognizance in the sum of twenty five dollars for his appearance at the next Term of this court

State of Indiana)
)
vs) Indictment for retailing Spirits without
)
Jarvey W. Wood) License

Now at this time comes Thomas Johnson prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his proper person also comes and being arraigned upon the indictment aforesaid and it being demanded of him how he will acquit himself thereof for plea thereto says

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he is not guilty in manner and form as he stands indicted, and for trial thereof he puts himself upon the country and the said prosecutor doth the like. Thereupon here comes the following Jury to try the issue Joined aforesaid to wit - John C. Kinney, John Stocker, Jacob Grov Anthony Nelson, George Thompson Tyler Flemming, Curtis Harding Joseph Hardy George Ray Jonathan Woodruff Robert Sherman Elisha Dickinson Barnabus Thompson twelve good and lawful men free holders & house holders of the County of Lagrange aforesaid who ~~being~~ [sic] are Elected tried and Sworn the truth to say upon the issue Joined aforesaid and a true verdict give according to the evidence ~~upon their oath aforesaid~~ [sic] do ~~find the following verdict to wit "We the jury do fine the defendant guilty and assess his fine at the Sum of two dollars" -- It is therefore considered by the court that the said State of Indiana do recover against the said defendant the said sum of Two dollars as by the Jury assessed besides her costs and charges in this behalf laid out and expended, and that he stand committed to the custody of the Sheriff untill said fine & costs are paid or replevied~~ sic] - and after hearing the proofs & allegations of the partis [sic] & the charge of the court return under the charge of a sworn officer of this court to deliberate upon the verdict, and after deliberation have return [sic] into court under charge of said sworn officer

with the following verdict to wit "We the Jury find the defendant guilty & assess his fine at the sum of two dollars.

And the court adjourned untill 9 oclock tomorrow morning

Signed May 3rd 1837 C. W. Ewing

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May Term 1837

Wednesday morning oclock May 3rd 1837

Court met pursuant to adjourment present the same Judges and officers of the county on yesterday

On motion of Thomas Johnson Esquire Lucian P. Ferry Esquire ~~is admitted~~ [sic] is admitted as an attorney and counseller [sic] at Law at the bar of this court and is sworn as such

State of Indiana)
)
3 vs) On Recognizance forfeited
)
Morris Haskins)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant Morris Haskins ~~defendant~~ [sic] being three times solemnly called come not but herein make default, whereby the said recognizance is forfeited and the said defendant become liable to pay to the said State of Indiana the said sum of Twenty five dollars in the said recognizance mentioned. It is therefore considered by the court that the said State of Indiana do recover against the said defendant

the sum of Twenty five dollars as aforesaid besides hur [sic] costs and charges in this behalf laid out and expended And it is ordered by the court that ~~the~~ [sic] writ of Scire facias do issue against the said Morris Haskins requiring him to be and appear before the Judges of this court on the first day of the next Term thereof to shew cause if any he can why the said State of Indiana should not have execution against the goods & chattles [sic] lands and tenements of the said defendant to make the said sum of money in the said recognizance specified as also the costs aforesaid and this cause is continued -

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The State of Indiana)
)
17 vs) Indictment for making a deed to deceive
) and defraud a previous purchaser of land
William Adair Senior)
)
Samuel H. Edsall &)
)
Samuel Holsted)

Now comes as well Thomas Johnson Esquire attorney prosecuting the pleas of State of Indiana in this behalf, as the said defendants in their own proper persons. And the said defendants by Counsel moved the Court here to quash said indictment for the supposed errors and imperfections apparent thereon, and after argument of counsel being had thereon the said motion is sustained and said indictment is quashed. It is there-

fore considered by the court now here that the said William Adair senior, the said Samuel H. Edsall and the said Samuel Holsted the said defendants to said indictment as to the indictment aforesaid go hence thereof without day.

The Honourable Charles W. Ewing president judge of this Court having been imployed [sic] as consel [sic] for the said William Adair one of the said defendants previous to his election to the office of said president judge of this court retired from the bench and did not set in this case.

The State of Indiana)
)
10 vs) Indictment for Perjury
)
Jonas Tillepaw)

Now comes as well Thomas Johnson Esquire attorney prosecuting the pleas of the State of Indiana in this behalf as the said defendant in ~~their~~ [sic] his own proper person and the said Thomas Johnson says he will no further

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prosecute said defendant on said indictment. It is therefore considered by the Court now here that the said defendant as to the indictment aforesaid go hence thereof without day

State of Indiana)
)
3 vs) On Recognizance forfeited
)
~~Morris~~ [sic] Erastus Haskins)

Now comes Thomas Johnson Prosecuting the pleas of the State of Indiana, and ~~the~~ [sic] Morris Haskins the principle [sic] named in said recognizance being three times solemnly [called] comes not whereupon the said Erastus Haskins the Surety named in said recognizance, being three times solemnly called and required to bring into court the body of Morris Haskins, in discharge of his recognizance comes not but herein makes default, whereby the said recognizance becomes forfeited and the said defendant Erastus Haskins is liable to pay to the said State of Indiana the sum of twenty five dollars the amount in said recognizance specifeid [sic]. It is therefore considered by the court here that the State of Indiana do have and recover against the said defendent [sic] Erastus Haskins the said sum of twenty five dollars the amount in said recognizance specified as also her costs and charges in this behalf laid out and expended And it is ordered that a Scire Facias do issue against the said defendent [sic] Erastus Haskins requiring him to be and appear before the judges of this court on the first day of the next term thereof, to shew cause if any he can why the State of Indiana shall not have her execution against the goods and chattles [sic] lands and tenements

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of the said Eraskins [sic] Haskins to make the aforesaid sum of twenty five dollars as also her costs and charges in this

behalf laid out and expended

State of Indiana)
)
2 vs) On Recognizance Forfeited
)
Erastus Haskins)

Now comes Thomas Johnson prosecuting the pleas of the State of Indiana and Morris Haskins the principle [sic] named in said recognizance being three times solemnly called comes not, but makes default. And the said Erastus Haskins the surety named in said recognizance being three times solemnly called and required to being into court the body of Morris Haskins in discharge of his recognizance comes not but herein makes default whereby the said recognizance becomes forfeited and the said Erastus Haskins is liable to pay to the said State of Indiana the sum of twenty five dollars the amount ~~named~~ [sic] in said recognizance specified It is therefore considered by the court here that the said State of Indiana do have and recover against the said Erastus Haskins the said sum of twenty five dollars the amount in said Recognizance specified As also her costs and charges in this behalf laid out and expended And it is ordered by the court that a Scire-facias do issue against the said Erastus Haskins requiring him to be and appear before the Judges of this court on the first day of the next Term thereof to shew cause if any he can why the said State of Indiana shall not have her execution against

the goods & chattles [sic] Lands and tenements of the said Erastus Haskins to make the aforesaid sum of twenty five dollars as also her costs and charges in this behalf laid out out [sic] and expended

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May Term 1837

State of Indiana)
)
9 vs) Assault & Battery -
)
Albert Powell)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and being arraigned upon the Indictment aforesaid and it being demanded of him how he will acquit himself ~~of the~~ [sic] thereof, for plea thereto says he is not guilty and for trial thereof by the consent of parties a jury is waived and this cause is submitted to the summary decision of the court. Amd ~~af~~ [sic] having herd [sic] the evidence and the argument of counsel are of opinion that the defendant is not guilty. It is therefore considered by the court that the said defendant as to said indictment and offience [sic] do go hence without day acquit -

State of Indiana)
)
7 vs) on Indictment Retailing Spiritous [sic]
Joel Leverich liquors

Nos at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and on his motion this cause is continued and an alias capias directed to the Sheriff of Lagrange County is awarded

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State of Indiana)
)
7 vs) Indictment for retailing Spiritous [sic]
)
Joel Leverich) liquors

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and on his motion this cause is continued and an alias capias directed to the Sheriff of Lagrange County is awarded

State of Indiana) On
)
7 vs) Indictment for retailing Spiritous liquors
)
Joel Leverich)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and on his motion this cause is continued and an alias capias directed to the sheriff of Lagrange County is awarded -

State of Indiana)
)
7 vs) On Indictment for retailing Spiritous liquors -
)
Joel Leverich)

Now at this time comes Thomas Johnson Esquire

prosecuting the pleas of the State of Indiana in this behalf and on his motion this cause is continhed and alias capias directed to the sheriff of Lagrange County is awarded -

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State of Indiana)
)
vs) On recognizance forfeited
)
Harvey Wood)

Now at this time comes Thomas Johnson prosecuting the pleas of the State of Indiana in this behalf, and the said defendant Harvey W. Wood principle [sic] in said recognizance veing rheee times solmnly [sic] called come not but herein makes default whereby the said recognizance becomes forfeited and the said defendant Harvey W. Wood is liable to pay to the said State of Indiana the ~~su~~ [sic] sum of twenty five dollars the amount in said recognizance specifeid [sic] It is therefore considered by the court that the said State of Indiana do recover against the said defendant Harvey W. Wood the sum of twenty five dollars the sum in said recognizance specified besides her costs and charges in this behalf laid out and expended And it is ordered by the court that a writ of Scire facias do issue against the said defendant Harvey W. Wood requiring him to be and appear before the Judges of this court on the first day of the next Term thereof to shew cause if any he can

why the said State of Indiana shall not have execution against the goods chattes [sic] lands and tenements of the said defendant to make the said sum of twenty five dollars as also hur [sic] costs and charges in this behalf laid out and expended

State of Indiana)
)
vs) on recognizance forfeited
)
George F. Whitaker)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf Harvey W. Wood principle [sic] in said recognizance mentioned being three times solemnly called come not but make default and the said defendant George F. Whitaker surety named in said recognizance being three times solemnly called and required to bring into court the body of Harvey Wood in discharge of his recognizance come not

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but herein make defalt Whereby the said recognizance become forfeited and the said defendant is liable to pay to the said State of Indiana the sum of Twenty five dollars the sum in said recognizance specified It is therefore considered by the court now here that the said State of Indiana do have and recover against the said defendant George F. Whitaker the sum of Twenty five dollars in said recognizance speci= fied besides her costs and charges in this behalf laid out

and expended and this cause is continued

William P. Bromley)
)
5 vs) Debt on appeal
)
George Weirick)

Now at this time comes the said defendant and the said plaintiff being called comes not. Whereupon on motion of defendant It is ~~therefore considered by the court~~ [sic] that this cause be dismissed at the costs of the plaintiff It is therefore considered by the court that that [sic] the said defendant do recover against the said plaintiff his costs and charges in this behalf laid out snd expended

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State of Indiana)
)
14 vs) Indictment for an Affray
)
Ica F. Rice)
)
Morris Haskins)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and says he will no further prosecute the said defendant on the indictment aforesaid It is therefore considered by the court that the said defendant Ica F. Rice as to said Indictment go hence without day -

State of Indiana)
)
15 vs) on recognizance forfeited
)
John Fee)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant being three times solemnly called come not but herein makes default. Whereby the said recognizance become forfeited and the said defendant is liable to pay to the said State of Indiana the sum of ~~twenty-five~~ [sic] Two hundred and fifty dollars the amount in said recognizance specified - It is therefore considered by the court that the said State of Indiana do have and recover against the said defendant John Fee the said sum of ~~Twenty five~~ [sic] Two hundred and fifty dollars in said recognizance specified as also her costs and charges in this behalf laid out and expended And it is ordered by the court that a writ of Scire facias do issue directed to the sheriff of this county requiring him to be and appear before the Judges of this court on the first day of the next Term thereof, To Shew cause if any he can why the said State of Indiana shall not have execution against the goods chattles [sic] lands and tenements of the said defendant John Fee to make the aforesaid sum of ~~Twenty-five~~ [sic]

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Two hundred and fifty dollars as also her costs and charges

Fee)

in this behalf laid out and expended

No. 15

State of Indiana)
)
vs) on recognizance forfeited
)
Jonathan Gardner)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and Harvey W. Wood principle [sic] in said recognizance mentioned being three times solemnly called come not but make default, the said defendant Jonathan Gardner the surety named in said recognizance being three times solemnly called and required to bring into court the body of John Fee in discharge of his recognizance comes not but herein makes default Whereby the said recognizance become forfeited and the said ~~State of Indiana~~ [sic] defendant is liable to pay to the said State of Indiana the sum of ~~Twenty-five~~ [sic] Two hundred and fifty dollars the amount in Said recognizance specified. It is therefore considered by the court that The said State of Indiana do recover against the said defendant Jonathan Gardner The sum of ~~Twenty-five~~ [sic] Two jundred and fifty dollars The sum in said recognizance specified ~~as-alse~~ [sic] besides hur [sic] costs and charges in this behalf laid out and expended And it is ordered by the court That a writ of Scire facias do issue against the said defendant requiring him to appear before the Judges of this Court on the first day of the next Term thereof to shew cause

on recognizance, delivered

if any he can why the said State of Indiana shall not have hur [sic] execution against the goods chattles lands and tenements of the said defendant Jonathan Gardner to make the aforesaid sum of ~~Twenty-five~~ [sic] Two hundred and fifty dollars as also her costs and charges in this behalf laid out and expended

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State of Indiana)
)
19 vs) Indictment for Trespass
)
Otis Newton)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this gehalf and says he will no further prosecute the said defendant on the indictment aforesaid - It is therefore considered by the court that the said Otis Newton defendant, as to said indictment go hence thereof without day -

State of Indiana)
)
~~20~~ [sic] 19 vs) Indictment for Trespass
)
Otis Newton)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and says he will no further prosecute the said defendant on the indictment aforesaid. It is therefore considered by

the court that said defendant as to ~~said~~ [sic] the Indictment aforesaid go hence thereof without day

State of Indiana)
)
15 vs) Indictment for Grand Larceny
)
John Fee)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and being arraigned upon the indictment aforesaid, and it being forthwith demanded of him how he will acquit himself ~~of~~ [sic] Thereof, for plea thereto says he is not guilty in manner and form as he stands indicted and for trial thereof he puts himself upon the country and the

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the [sic] said prosecutor doth the like, and thereupon There comes a Jury to try said issue to wit John C. Kinney Alonzo Strong, Jerry A. Clapp George Ray William Hall Elisha Dickinson George F. Whitaker Simpson Cummins Carnie [?] Louther Erastus Haskins Morris Haskins and Daniel Harding, twelve good & lawful man freeholders and housholders [sic] of the County of Lagrange afiresaid who are elected tried and sworn the truth to speak upon the issue Joined aforesaid And after hearing the proofs and allegations of the parties and the charge of the court retire under the charge of a sworn officer of this court to deliberate upon thir [sic] verdict,

and after deliberation had return into court under charge of said sworn officer with the following verdict to wit, "We the def [sic] Jury do find the defendant not guilty"

It is therefore considered by the court now here that the said defendant as to said indictment and offence [sic] do go hence thereof acquit without day -

William P. Bromley	)	
	)	
9 vs	)	Debt on official bond
	)	
Edmund Littlefield	)	
	)	
William Thrall &	)	
	)	
Luther Newton	)	

Now at this time comes the parties and the issue being Joined between the parties Thereupon comes a Jury to try said issue towit Anthony Nelson, Curtis Harding, Tyler Fleming, Jacob Vandeventer, Peter Vandeventer, Jacob Groves, Peter Miller, George Thompson, Jesse Harding, Zimri Atwater, Otis Newton, William F. Beavers, twelve good and lawful men freeholders and householders of the county of Lagrange Aforesaid who are elected tried and sworn the truth to say and a true verdict give according to the eivdnec upon the issue Joined aforesaid, and after hearing the evidence and allegation of the parteis [sic] and the charge of the court, retire under charge of a sworn officer

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of this court to deliberate upon their verdict and after deliberation had return into court under charge of said sworn officer with the following verdict to wit. We the Jury do find for the plaintiff and assess his damage at the sum of one cent -" It is Therefore considered by the court that the said plaintiff do recover against the said defendants, Edmund Littlefield Luther Newton and William Thrall, the sum of one cent in damages as by the Jury aforesaid assessed, besides his costs and charges in this behalf laid out and expended -

Drusus Nichols)
)
18 vs) Assumpsit
)
Moses Chapman)

Now at this time comes the parties and Thereupon the said defendant files his demurrur [sic] to the said plaintiffs declaration in these words (here insert it) ~~& day is given~~ [sic] and the said plaintiff now files his Joinder in this words here insert it) and day is given -

Drusus Nichols)
)
20 vs) Assumpsit
)
William Hall)

Now at this time comes the parties and thereupon the said defendant on affidavit filed moves the court to continue this cause untill [sic] the next Term of this

court which motion is sustained by the court and that said cause be continued at the defendants costs. It is therefore ordered by the court that the said defendant pay the costs of this term within sixty days or in degault thereof an attachment will issue to compel the payment thereof

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May Term 1837

Robert Dayton)
)
27 Administrator of)
)
George Bulmer deceased)
)
vs) Trover
)
Jesse Stayner)

Now at this times [sic] comes the parties and by their agreement this cause is dismissed at the defendants costs -

It is therefore considered by the court that the said plaintiff do recover against the said defendant his costs and charges by him in this behalf laid out and expended -

Willis Haskins)
)
Assignee of Erastus)
)
Haskins -)
)
28 vs) Assumpsit
)
George F. Whitaker)
)
Francis F. Jewett)

Now here at this time comes the parties and by their agreement this cause is dismissed at the cost of the plaintiff. It is therefore considered by the court that the said defendants do recover against the said plaintiff their costs and charges in this behalf laid out and expended

Recv^{d} Acc [?] above in full J. T. Hobbs

Recd my docket fee John M. Howe

Erastus Haskins)
)
vs) Assumpsit
)
27 George F. Whitaker)
)
Francis F. Jewett)

Now at this time comes the parties and upon their agreement this cause is dismissed at the costs of the plaintiff It is therefore considered by the court that the said defendants do recover against the said plain-

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tiff their costs and charges in this behalf laid out and expended

Recv^{d} the amount in full

Recd my docket fee J. M. Howe

Now here comes Thomas Johnson prosecuting the pleas of the State of Indiana in this behalf ~~and on his motion~~ [sic] and on his motion it is ordered that attachments do issue against Moses N. Hill Alfred K. Murray and Samuel Brown to

answer to the State of Indiana for a contempt in not obeying the summons of this court ten days privious to the first day of this term wherein they were summoned to appear and serve during the present Term of this court as grand Jurors And That they be severally required to enter into personal recognizance in the sum of Twenty five dollars for thir [sic] appearance ~~on the~~ [sic] before the Judges of this Court on the first day of the next Term thereof -

Joshua T. Hobbs)
)
30 vs) Assumpsit on appeal
)
Archer Mathews)

Now at this time comes the parties and by their agreement This cause is dismissed at the costs of the defendant. It is therefore considered by the court that the said plaintiff do recover against the said defendant his costs and charges in this behalf laid out and expended

State of Indiana)
)
5 vs) Indictment for retailing Spirit-
)
Harvey W. Wood) ous [sic] Liquors

Now at this time comes the [sic] Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and Thereupon the said Thomas Johnson Esquire moves the court to render Judgment

May Term 1837

upon the verdict and finding of the Jury aforesaid in this behalf which motion is sustained It is Therefore considered by the court that the said defendant Harvey W. Wood do make his fine to the State of Indiana in the sum of Two dollars as by the Jury aforesaid assessed, besides the the [sic] costs of this prosecution and that the said defendant do Stand committed to the custody of The Sheriff untill [sic] said fine and costs are paid or replevied & the defendant in mercy &c

Samuel Grenoe)
)
4 vs) ~~New-into~~ [sic]
)
William P. Bromley) Now comes into court here William Phelps sheriff of Lagrange County and as he is commanded brings into court here, the following pannel [sic] of jury to wit, Anthony Nelson, Curtis Harding, Tyler Fleming, Jacob Miller, John C. Kinney, Peter Vandeventer, Jacob Vandeventer, Jacob Groves, Harry L. Averil, George Thompson, Elisha Dickinson, and James Ellis twelve good and lawful men discreet freeholders and householders of the county aforesaid, who being elected tried and sworn to make a true inquiry and assessment of the damages the said plaintiff have sustained in the premises after hearing the evidence and argument of counsel brought into court the following

Verdict to wit, We the jury asses [sic] do find and assess that the said plaintiff hath sustained damages of the said defendant to the amount of sixty five dollars by reason of the several premises in the said plaintiffs declaration alleged and set forth

It is therefore considered by the court now here

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that the said plaintiff recover of the said defendant the sum of sixty five dollars as by the jury found and assessed, together [with] his costs and charges in this behalf laid out and expended and the defendant in mercy &c

And the court adjourned untill tomorrow morning 9 oclock

Signed May the 4th 1837

C. W. Ewing

Thursday Morning 9 oclock May 4th 1837

Present the same Judges and officers of the court as on yesterday

State of Indiana)
)
2 vs) on recognizance forfeited -
)
Morris Haskins)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant Morris Haskins also comes and surrendering himself into the custody of the sheriff and moves the

court to set aside the forfeiture heretofore taken against him in this behalf, which motion ~~is by the court sustained~~ [sic] of the defendant by the consent of the said prosecuting Attorney is sustained at the costs of the defendant It is therefore ~~considered~~ [sic] ordered by the court that the ~~Scire facias~~ [sic] judgment of ~~forfeiture~~ [sic] to forfeit ~~case~~ [sic] in heretofore entered in this case be set aside and that the ~~said State of Indiana do recover against the~~ [sic] said defendant do pay ~~his~~ [sic] costs and charges in this behalf laid out and expended in sixty days or in default thereof that an attachment issue to compel the payment thereof

George W. Adair)
)
8 vs) Appeal
)
Abrum Coles) Now come the parties by their attorneys and the said Adair by Cooper his attorney moved the court here to dismiss the appeal in this cause for the defect on the transcript of the Justice of the Peace who certified said appeal to this court, which motion is sustained by

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the court now here and said appeal is dismissed at the costs of the said Abrum Coles the said appellant in this case. It is therefore considered by the court now here, that said appeal be dismissed, and that the said George W. Adair the plaintiff recover of the said Abrum Coles the defendant his costs

and charges in and about the defence [sic] of this appeal laid out and expended and the defendant in mercy &c

George Bridges)
)
vs) Assumpsit
)
William Thrall &)
)
Massena P. Thurston) Now comes the said plaintiff by his attorney and moved the court here to habe the order of a continuance of this cause set aside. And thereupon the said William Thrall one of said defendants personally appeared to said action and says he cannot gainsay or deny that he with the said Marsena P. Thurston did promise and undertake in manner and form as the said plaintiff hath in his said declaration complained of against him, and that said plaintiff hath sustained damages for the non performance of said promises and undertakings to the amount of one hundred and sixteen dollars and sixty seven cents, and that he does now freely confess a judgment for the same, It is therefore considered by the court now here, that the plaintiff aforesaid recover of the defendant William Thrall aforesaid the sum of One hundred and sixteen dollars and sixty seven cents in damages as above confessed together with his costs and charges in and about the prosecuting of the suit laid out and expended and the said defend-

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ant in mercy &c And it is agreed by the parties afore-

said that no execution issue on said judgment provided the said defendant put in good bail to said judgment.

And thereupon Jessee Ingraham now comes into open court and entered into his recognizance acknowledging himself bail for the payment of said judgment together with interest and costs accrued and accruing and to accrue thereon.

And the said plaintiff says he will no further prosecute said Massena P. Thurston the said other defendant in this action.

State of Indiana)
)
2. vs) on recognizance forfeited
)
Erastus Haskins)

Now at this time comes Thomas Johnson Esquire prosecuting The pleas of the State of Indiana in this behalf and the said Erastus Haskins ~~now~~ [sic] now in open court surrenders the body of Morris Haskins into the custody of the sheriff. And moves the court here to set aside the forfeiture heretofore taken against him in this behalf which motion the court sustain at the costs of the said defendant. It is therefore ~~considered~~ [sic] ordered by the court here that the said ~~State of Indiana do have and recover against the~~ [sic] said defendant ~~Morris~~ [sic] Erastus Haskins ~~hur~~ [sic] pay the costs and charges in this behalf laid out and expended in sixty days or in defaut [sic] an attachment issue to compel the payment thereof

The costs paid in full J. T. Hobbs

State of Indiana)
)
vs) Indictment for Assault & Battery
)
Archer Mathews)

Now comes ~~the~~ [sic] Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and thereupon comes ~~also the~~ [sic] comes into open court Wiseman Ford and acknowledged himself replevin bail and security for the said defendant

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Archer Mathews for the payment of the said fine of Twenty five dollars and costs, and costs to accrue ~~with~~ [sic] in three months from this date

John Briscoe)
)
Drusus Nichols)
)
William P. Bromley)
)
26 vs) Assumpsit on appeal
)
Moses[?] Chapman)

Now at this time comes the parties and issue being Joined between them here comes a Jury to try said issue to wit Peter Vandeventer John C. Kinney Jacob Groves Anthony Nelson George Thompson Tyler Flemming Curtis Harding Theodore Craft Joseph Hardy George Ray Elisha Dickenson, twelve good and lawful men discreet freeholders and house holders of the county of Lagrange afore-

[one juror missing]

said who being duly elected tried and sworn the truth to speak upon the issue Joined aforesaid and a true vereict give according to the evidence And after hearing the proofs & allegations of the parties return under charge of a sworn officer of this court to deliberate upon ther [sic] verdict and after deliberation had return into court under charge of said sworn officer with the following verdict "We the Jury do find for the plaintiffs and assess damages fifty eight dollars" It is therefore considered by the court that the said plaintiffs do recover against the said defendant Moses Chapman the sum of fifty eight dollars in damages as by the Jury aforesaid assessed, besides their costs and charges in this behalf laid out and expended -

In the progress of this action when the case was before the jury and one of the witnesses for Plaintiff was testifying to the Jury on ~~this-ease~~ [sic] on the trial of said case the def^{dt} objected to the admission of certain testimony and the court over-ruled the objection and the said Defendant ~~an~~ [sic] excepted to the opinion ~~(here~~ [sic] of the court and files his following bill of exceptions (here insert)

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May Term 1837

Jonathan Woodruff Jr)
)
31 vs) Assumpsit
)
Asa P. Adams)

Now at this time comes the parties and the said defendant upon affidavit filed moves the court to continue this cause untill [sic] the next Term of this court which motion the court sustain And that said cause be continued at the defendants cost It is therefore ordered by the court that the said defendant pay the cost of this term within sixty days or in default thereof that an attachment issue to compel the payment thereof

Sanford Haaese[?])
)
7 vs) Replevin
)
Christopher Cory)

Now comes the parties and by thir [sic] agreement this cause is dismissed at the plaintiff cost. It is ordered by the court that the said plaintiff pay the cost in this behalf in sixty days or in defaut [sic] that an attachment issue to compel payment thereof

James Leverich)
)
22 vs) Debt on appeal
)
Micajah Harding)
)
Micajah Harding Jn^{r})

Now at this time comes the parties and the issue being Joined between them by agreement a Jury is waived and this cause Submitted to the summary decision of the court and after hearing the evidence and argument of counsel,

and due deliberation had the court do find for the plaintiff the sum of forty five dollars in debt, and one dollar and sixty nine cents in damages for the detention thereof making in all the sum

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of forty six dollars and sixty nine cents It is therefore considered by the court That the said plaintiff do recover against the said Defendant Micajah Harding and Micajah Harding Junior the ~~sum~~ [sic] said sum of forty six dollars and sixty nine cents found by the court as aforesaid besides his corst [sic] and charges in this behalf laid out and expended - The Honorable Charles W. Ewing president Judge having been employed as Counsel for Micajah Harding J.r one of the defendant previous to his appointment as Judge retires from the bench during the hearing of the above cause

And the defendant gives notice for a new trial

Rec.d the amount of the above Judgments and my docket fee this 18th November 1837 - Judgment & interest $18.20

John B. Howe)
)
Pltf's atty)

State of Indiana)
)
6 vs) Indictment for retailing spiritous [sic]
)
Harvey Wood) liquors

Personally appeared in open court Harvey W. Wood and Asa P. Adams and acknowledged themselves to owe

and be indebted unto the State of Indiana in the sum of twenty five dollars each to be levied of thir [sic] and each of respective goods and chattles [sic] lands & tenements if default be made in the following condition to wit which condition is that the said ~~Harvey~~ [sic] Harvey W. Wood shall personally be and appear before the Judges of this court on the first day of the next Term thereof To answer unto the State of Indiana on an indictment for retailing spiritous [sic] liquors without licinse [sic] and abide the Judgment of the court and not depart without leave thereof then this recognizance to be void otherwise to remain in full force and with this they are content -

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May Term 1837

State of Indiana)
)
6 vs) on recognizance forfeited
)
Marvey W. Wood)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant Harvey W. Wood now comes into court and surrenders himself into the custody of the sheriff and moves the court to set aside the forfeiture heretofore taken against him in this behalf which motion of the defendant with the consent of the said prosecuting attorney is sustained and said forfeiture [is] now set aside It is therefore con-

~~sidered~~ [sic] ordered by the court that the said ~~Scire-facias~~ [sic] sic] ~~and~~ [sic] Judgment forfeiture be set aside without pay= ment of costs

State of Indiana)
)
3 vs) on recognizance forfeited
)
Morris Haskins

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said degendant Morris Haskins now comes into court and surrenders himself into the custody of the sheriff and moves the court to set aside the forfeiture heretofore taken against him in this behalf which motion of the defendant with the consent of the said prosecuting attorney is sustained at the costs of the said defendant It is therefore considered by the court that the said ~~Scire-facias-and~~ [sic] Judgment for forfeiture be set aside at the costs of the defendant and that the ~~said-State-of-Indiana-do-recover-against~~ [sic] the said defendant do pay costs and charges in this behalf laid out and expended in sixty days or in defaut [sic] there- of that an attachment issue to compel the payment thereof

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May Term 1837

State of Indiana)
)
3 vs) on recognizance forfeited
)
Erastus Haskins)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said Erastus Haskins now surrenders the body of Morris Haskins into the custody of the sheriff and moves the court to set aside the forfeiture heretofore taken against him in this behalf, which motion the court sustain at the costs of the defendant It is therefore ~~considered~~ [sic] ordered by the court that the said ~~Seire-facias-and~~ [sic] Judgment of forfeiture be set aside at the costs of the said defendant and that the ~~said-State-of-Indiana-do-recoveragainst-the~~ [sic] said defendant Erastus Haskins ~~pay~~ [sic] do pay the costs and charges in this behalf laid out and expended in sixty days or in default thereof an attachment issue to compel the payment thereof

Isaac Spencer)
)
Reuben L. Dawson)
)
25 vs) Assumpsit
)
George F. Whitaker)

Now here comes the parties and the said defendant on affidavit filed moves the court for leave to file several addition[al] pleas in this behalf which motion is by the court sustained Thereupon the said defendant now files his second third & fourth pleas in this behalf in these words (here insert them) and day is given

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May Term 1837

The Grand Jury now comes into court and returns sundry bills of indictment found by them as true bills Indorsed by thir [sic] foreman as ~~true-bills~~ [sic] such and having further business before them return to ther [sic] room

Abraam Cole)
)
6 vs) Trespass on appeal
)
Washington Adair)
)
William Adair Sn.)
)
& William Adair Jun) Now at this time comes the plaintiff & the defendants being three times solemly [sic] called & required to defend the action aforesaid come not but herein make default - It is therefore considered by the court now here that the said plaintiff Abraam Cole have & recover against the said defendants Washington Adair William Adair Sr. & William Adair Jun. his damaged in this behalf. But because the court here is not yet advised of the damages aforesaid which the said Abraam Cole hath sustained in the premises, it is ordered that a writ of Enquiry do issue directed to the sheriff of said county returnable at the next term of this court, to assess the damages aforesaid and this cause is continued

Samuel Grenoe)
)
vs) Trespass on appeal
)
Albert Powell)
)
Rollin Newell) 145.

Now comes the parties and the issue being Joined between th em by their agreement the Jury is waiverd and this cause is submitted to the summary decision of the court, and the court after hearing the proofs and allegations of the parties take the

p. 112 MaY Term 1837

same under advisement & day is given

R. B. Phelps)
)
vs) Debt on appeal
)
Abrum Cole)

Now come the parties and by ther [sic] agreement this cause is continued untill [sic] the next Term of this court.

J. Briscoe)
)
D. Nichols)
)
W^{m} P. Bromley)
)
vs) Debt on appeal
)
Moses Chapman)

Now come the parties and on motion of defendant an attachment is ordered against Samuel Bradford and Silas Melvin for a contempt in refusing to obey the process of this court wherein they were summoned to appear before this court to Testify in behalf of the said defendant, returnable forthwith

And the court adjourned untill [sic] tomorrow morning.

Signed May the 5th 1837

C. W. Ewing

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May Term 1837

Friday Morning 9 Oclock May 5th 1837 the court met pursuant to adjournment.

Present the same ~~the~~ [sic] Judges and officers of the court as on yesterday

Samuel Grenoe)
)
16 vs) Trespass On Appeal.
)
Albert Powell)
)
Rollin Newell) Now at this time comes the parties; and the court having sufficiently advised of and concerning the premises aforesaid do find and say that the defendants are guilty in manner and form as the plaintiff hath complaint against them and assess the plaintiffs damages at seventeen dollars and fifty cents. It is therefore considered by the court that the said plaintiff do recover against the said defendants Albert Powell and Rollin Newell the sum of Seventeen dollars and fifty cents as above assessed besides his costs and charges in this behalf laid out and expended & the defendants in mercy &c.

G. W. Adair)
)
8 vs) Assumpsit on appeal
)
Abram Cole)

Now at this time come the parties And the said defendant upon affidavit filed moves the court to grant an appeal from the docket of Albert Powell a Justice of the peace of this County before whom this cause was originally tried which motion the court overruled

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Drusus Nichols)
)
18 vs) Assumpsit
)
Moses Chapman)

Now at this time comes [sic] the parties and thereupon the defendant asks and obtains leave to withdraw his demurrer and now files his first and second pleas in this behalf, in these words (here insert them) Thereupon comes a Jury to try the issue between the parties to wit Peter Vandeventer, Jacob Vandeventer, Hohn C. Kinney Jacob Groves Curtis Harding, James Ellis Tyler Fleming, George Thompson, Anthony Nelson Norris Haskins, William F. Beavers, Simpson Cummins Twelve good and lawful men free holders and house holders of the county of Lagrange aforesaid who are elected tried and sworn the truth to ~~say~~ [sic] speak upon the issue Joined between the parties aforesaid and a true

verdict ~~te~~ [sic] give according to the evidence. the said plaintiff now withdrsws a juror and suffers a non suit. It is therefore considered by the court that the said defendant do recover against the said plaintiff his costs and chargesin this behalf laid out and expended

Isaac Spencer &)
)
Reuben J, Dawson)
)
25 vs) ~~Assumpsit~~ [sic] Debt.
)
George F. Whitaker)

Now comes [sic] the parties and the said plaintiff now files his demurrers to the second third and fourth pleas of the said defendant in these words (here insert them) And the said defendant now confesses the said

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plaintiffs demurrer to the second and fourth pleas and asks leave to amend his aforesaid pleas in this behalf, which leave is granted by the court

The grand Jury now comes [sic] into court and make report of the condition of the county Jail and having no more business before them are by the court discharged

State of Indiana)
)
3 vs) Indictment for retailing
)
Morris Haskins) spiritous [sic] liquors -

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant Morris Haskins also comes and moves the court to quash the indictment aforesaid for errors apparent upon the face, which motion the court sustain. It is ~~ordered~~ [sic] therefore considered by the court that the said defendant as to said indictment go hence thereof without day

Thomas Rose)
)
vs) Bill in Chancery for
)
Elias Rose) Specific performance

Now comes [sic] the parties and the said respondent files his demurrur [sic] to the said plaintiffs bill of complaint in these words (here insert it) And the said complainant now files his Joinder in these words (here insert it) and the issue being Joined upon the demurrur [sic] aforesaid and the court having herd [sic] the argument of counsel and due deliberation had are of the opinion that said demurrur [sic] be sustained - Thereupon the said complainant withdraws his Joinder

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And asks leave to amend his bill in ninety days from this date which leave is granted by the court and this cause is continued

Now comes Thomas Johnson Esquire prosecuting the pleas

of the State of Indiana and ~~moves-the-court-t~~ [sic] on his motion It is ordered by the court that attachments do issue against ~~Adolphus-Town~~ [sic] George D. Parmenter Isaac Glover ~~Robert-Greenfield~~ [sic] & Stephen D. Palmer, returnable on the first day of the next Term, To answer unto the State of Indiana for a contempt in ~~refusing~~ [sic] neglecting to obey the process of this court wherein they were summoned ten days before the first day of this term to Serve as Petit Jurors during the present Term, and that they severally be required to enter into personal recognizance in the sum of Twenty five dollars each

Reuben J. Davison &)
)
Isaac Spencer)
)
vs) Debt.
)
George F. Whitaker)

Now come the parties and on motion of the plaintiffs this cause is dismissed at the costs of the plaintiffs It is therefore considered by the court that the said defendant recover against the said plaintiffs his costs and charges in this behalf laid out and expended and the plaintiffs in mercy &c

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May Term 1837

State of Indiana)
)
on the relation of)

William Latta	)	
	)	
vs	)	Debt
	)	
Samuel Robinson	)	
	)	
William Thrall &	)	
	)	
James Leverich	)	

Now comes the said plaintiff by Colerick his attorney and the said James Leverich by Howe his attorney comes also & says nothing in lieu [?] or preclusion of the said plaintiffs action in this behalf, whereby the said action as to the said James Leverich remains wholy [sic] undefended It is therefore considered by the court here that the said plaintiff recover of the said defendant Leverich the sum of twelve hundred dollars the debt ~~in-said-declaration described~~ [sic] in said declaration mentioned alleged in said declaration to be discharged upon payment of the Damages sustained by reason of the breaches, but because the court is not advised of the damages sustained by reason of the breaches assigned and set forth in said declaration a writ of enquiry is awarded to assess the damages aforesaid directed to the sheriff of said county returnable to the first day of the next term of this court. And come also the said defendants Samuel Robinson and William Thrall by Cooper their attorney and file their two several pleas each in these words (here insert them) and this cause is continued

)
)
)

Elisha Dickinson)
)
vs) In Chancery
)
A. L. Peat [Pratt])

Now comes the said complainant by Howe his solicitor and on his motion this cause is dismissed at complainants costs which costs he is ordered to pay in ninety days or in default thereof to be attached, and the parties here [ask] leave to withdraw their papers

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May Term 1837

State of Indiana)
)
2 vs) Indictment for retailing
)
Morris Haskins)

Now comes Thomas Johnson prosecuting the pleas of the State of Indiana in this behalf and the said defendant together with Peter L. Mason who acknowledge themselves to owe and be indebted to the State of Indiana in the sum of twenty five dollars each to be levied of thier [sic] respective goods and chattles [sic] lands and tenements if default be made in the following conditions which is that the said defendant Morris Haskins shall personally be and appear before the Judges of the said Lagrange circuit court on the first day of thier [sic] next term to be holden at the court house of said county ~~on the day November next~~ [sic] then and there to answer to the State of Indiana on an indict-

ment for retailing spiritous [sic] liquoea qirhour a licence [sic] abide the judgment of the court thereon and not depart thence without the leave of said court

State of Indiana)
)
4 vs) Indictment for Retaukubg
)
Harvey W. Wood)

Now at this comes into open court Asa P. Adams and acknowledges himself replevin bail and security for the said defendant for the payment of the above fine and costs accrude [sic] accruing and to accrue within three months from the rendition of said judgment

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May Term 1837

State of Indiana)
)
5. vs) Indictment for retailing
)
Harvey W. Wood)

Now at this time comes ~~the~~ [sic] into open court Asa P. Adams and acknowledges himself replevin bail and security for the said defendant for the payment of the said fine and costs accrued accruing and to accrue within three months from the rendition of said judgment.

George F. Whitaker)
)
& James McConnel) Judge Ewing absent
)
vs) Ia [Ind.] Chancery
)
Joshua T. Hobbs)

Now comes the parties by their Attorneys and by the agreement of the parties, this suit is dismissed at the costs of the said complainants, and the said complainants asked and obtained leave of court to withdraw their papers; and have no final record is to be made of this cause. It is therefore ordered that said complainants do pay the costs in this behalf within sixty days or that in default thereof they be attached. (By the admission of said James McConnel now made he is to pay said costs individually)

And the court adjourned until eight oclock tomorrow morning

Signed May 6th 1837

C. W. Ewing

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May Term A. D. 1837.

Saturday morning 8 oclock May the 6th A. D. 1837.

The court met pursuant to the adjournment of yesterday - present the same Judges and officers of court as of yesterday.

Sam.[1] Sidner)
)
vs) Appeal
)
Hiram Harding)

Now come the parties, and on motion of plaintiff the appeal in this behalf is dismissed without cost; and a procedendo is awarded to be directed to Edmund Littlefield the Justice of the peace having the custody of the

Judgment from which ssid appeal was taken commanding him to proceed forthwith to the collection of said Judgment.

Ordered that all pleas plains and other matters pending in this court and not otherwise disposed of be ~~continued~~ [sic] & the same are now continued until the next Term of this court.

Ordered that Asa P. Adams Gordon Hutchinson and Peter L. Mason --- be allowed the sum of five --- dollars each for five --- days services as bailiffs of this court during the present Term and Henry Akins one dollar for one days attendance as bailiff

Ordered that it be certified to the Board of county commissioners that Ephraim Celey [Seely] and

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May Term 1837

Luther Newton Esqrs served six days each as associate Judges of this court at this term.

Ordered by the court that writs of Capias ad respondendum do issue upon all indictments found at the Present Term by the grand Jury - and that on all bills for petit larceny bail in the sum of two hundred dollars, on all Bills for violating Election laws bail in the sum of fifty dollars and in all other cases bail in the sum of twenty five Dollars be required by the sheriff with sufficient security in the like sum.

State of Indiana)
)
vs) on recognizance forfeiture
)
Jonathan Gardner)

Now comes ~~the~~ [sic] Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant now comes and having summoned the body of John Fee principle [sic] in said recognizance named into the custody of the sheriff of ~~said~~ [sic] this county in discharge of his recognizance and moves the court to set aside the order for Scire facias and Judgment of forfeiture heretofore taken against him in this behalf which motion the court sustain at the costs of the said defendant It is therefore considered by the court that the said Judgment of Forfeit-

p. 122 May Term 1837

ure and order for Scire facias heretofore taken in this behalf against the said defendant be set aside at the costs of the said defendant and it is ordered by the court that the said defendant pay the costs in this behalf in sixty days, or in default thereof that an attachment issue to compel the payment thereof.

State of Indiana)
)
vs) Indictment for Betting
)
Daniel Harding)

Now at this time comes Thomas Johnson prosecuting the pleas of the State of Indiana and the said defendant also comes who being arraigned upon the indictment aforesaid and it being demanded of him how he will acquit himself thereof for plea thereto says that he is guilty in manner and form as he stands charged in said indictment Whereupon the court here do assess his fine at the sum of twelve & a half cents It is therefore considered by the court here that the said defendant Daniel Harding do make his fine to the State of Indiana in the sum of twelve and a half cents ~~dollars~~ [sic] that he pay the costs of this prosecution and stand committed to the custody of the sheriff until the said fine and costs are paid or replevied And thereupon the said defendant Daniel Harding now in open court pays and satifies the said fine and costs

p. 123 May Term A. D. 1837 Saturday

And the court adjourned until court in course to meet at the court house in said county.

Signed May the 6th 1837 } C. W.Ewing

State of Indiana)
) SS
Lagrange County)

Personally appeard [sic] before me Joshua T. Hobbs Clerk of the Lagrange Circuit court Ephraim

Seely and acknowledged himself replevin bail and security for Drusus Nichols for the payment of a Judgment of ~~Eleven~~ [sic] Twelve hundred and Sixty dollars and fourteen and one fourth cents rendered against him in the Lagrange Circuit court on the second day of May 1837 in favour of Aquilla G. Stout, Felix Ingolsby James Boisseau & James E. Eomley[?] Together with the cost therein and costs to accrue in nine months from the rendition of the same -

Taken & approved Ephraim Seely
by me this 8th day
of May 1837
J. T. Hobbs Clerk

Receved [sic] in the clerks office of Lagrange County Indiana on this 8th day of May 1837, The Laws of the General Assembly of the State of Indiana for the years of 1836 and 1837.

J. T. Hobbs Clk -

p. 124 State of Indiana Lagrange County ss

Be it remembered that on the thirteenth day of May in the year 1837, Jacob Miller personally appeared before the Clerk of the Lagrange Circuit Court and acknowledged himself bail for Moses Chapman for the payment of a Judgment of fifty Eight Dollars, rendered by the Judges of the Lagrange Circuit Court at the last Term thereof in favour of

John Briscoe Drusus Nichols and William P. Bromley, Together with the costs thereon and costs to accrue in one hundred and fifty days from the rendition of the same -

Jacob his X mark Miller

Taken by me this 13th day of May 1837

J. T. Hobbs Clk

Samuel Grenoe)
)
vs) Misprisson [sic] appeal
)
Albert Powell)
)
Rollin Hewell)

State of Indiana)
) SS
Lagrange County)

Before me J. T. Hobbs Clerk of the Lagrange Circuit court, personally came Samuel West, and acknowledged himself replevin bail and security for the said Albert Powell and Rollin Hewell defendants, for the payment of the Judgment of seventeen dollars and fifty cents rendered against them in favor of the said Samuel Grenoe on the 5th day of May 1837 in the Circuit court aforesaid together with the costs accrued accruing and to accrue in one hundred and twenty days from the rendition thereof - Samuel West

Taken this 14th day of May 1837

Be it remembered that at the September Sessions of the board of County Commissioners of LaGrange County Indiana- The following named persons were Selected by said board and drawn by the Clerk thereof to Serve as Grand Jurors in the circuit of said County for the two succeedomg terms of said court to wit: For Grand Jurors for the first Term, John A. Kinney Amasa Durand William Hoaglin Nelson Prentiss Robert Johnson Seth Parmenter Washington Hoddy Moses N. Hill Samuel Herbert Conrod Deal James Campbell George Ray Orin Howard Jacob Miller Micajah Harding, Jr. William Gardner William F. Gilbert and John Davidson - And for the Second term :epmard Andrews. David Elmore Ira Hayes Robert Cummings Hiram Harding Benjamin Gale Palmer Granice Jonathan Gardner Robert Hamilton Jesse Harding John C. Howard Samuel Cory James Thorp[?] John B. Philby[?] John Kromer Richard P. Fury Edward Robbins and Christopher Cory - And the following persons for the petit Jurors, to wit for the first term: Thomas Smith Chauncy K. Shepard Thomas Newell William Stead Nathan Jinks William Craig Isaac Rogers Nathan C. Calahan Adam Thurston Peter Vandeventer Elijah Fothergill Amasa Norton Amos Barr Elisha Dickinson John Anderson John B. Clark Peter Miller Thompson Green Aaron Thomson Henry Olmsted John Briggs Ralph Selby John Hall and Samuel Parker - And for the Second Term Jacob Sidner Jesse Champlain Elias Gilbert Jacob Vandevanter

Jacob Hoaglin Mills Averill Isiah [sic] Palms William Hern Jr. Henry L. Averill Samuel Gauthrip Wiseman Ford Asa Olney Harvey W. Wood David Patterson Brutus Stockwell William M. Holmes John Olney Anthony Nelson Adam Strong[?] David Stephenson Drusus Nichols George Stone John Trask and Lemuel Fobes

This

p. 126 Be it remembered that on the 14th day of June 1837, John Moon an alien personally appeared before the Clerk of the Lagrange Circuit Court and made oath to the following Declaration of his intention to become a citizen of the United States of America to wit

State of Indiana)
) SS
Lagrange County)

John Moon being duly sworn doth depose and say that it is his bona fide intention to become a citizen of the United States and to renounce forever all allegiance and fidelity to William the Fourth the present King of Great Brittain [sic] whose subject he is and further saith not.

John Moon

Sworn to and Subscribed
before me this 14th day of
June 1837

J. T. Hobbs Clerk

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October Term 1837

At a Term of the Circuit Court of Lagrange County Indiana began [sic] and held within and for the County of Lagrange aforesaid at the court house in the Town of Lima on Monday the 30th day of October in the year 1837 before the Honorable Charles W. Ewing President and Presiding Judge of the Eighth Judicial Circuit of the State of Indiana and the Honorable Luther Newton and the Honorable Ephraim Seely associate Judges of the Lagrange Circuit Court also present Joshua T. Hobbs clerk of said court and Peter L. Mason Sheriff of said county.

Peter L. Mason Sheriff of said county now brings into court the following pannel [sic] of grand Jurors Summoned by virtue of a Venirei [sic] facias heretofore to him directed to wit James Campbell who is by the court appointed foreman and is sworn as such Nelson Prentiss Robert Johnson Washington Hoddy Micajah Harding Jr. William T. Gilbert Samuel Herbert Moses N. Hill Orin Howard John C. Kinney ten in Number and no more of the persons named in said venirie [sic] answering to their names when called, the said Sheriff by order of the court Summonses and places in the pannel [sic] the following bystanders to wit, Dunick Harding Ira Dickinson James McKelvy Abraham Cole John M. Anderson David Stevenson William P. Bromley and Andrew Johnson, who with the aforesaid ten make eighteen in number, good and lawful

men discreet free holders and house holders of the county of Lagrange aforesaid who being duly empannelled [sic] charged and sworn to well and truly enquire within and for the body of the county aforesaid, retire to their room under charge of James M. Keath a sworn officer of this court -

Ordered by the court that Asa P. Adams be appointed a Bailiff of this court during the present Term

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October Term 1837

State of Indiana)
)
4 vs) Indictment for Retailing
)
Joel Leverich)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and says that he will no further prosecute the said defendant on the indictment aforesaid. It is therefore considered by the court that the said defendant as to said Indictment go hence thereof without day

State of Indiana)
)
vs) Indictment for retailing
)
Joel Leverich)

Now at this time comes Thomas Johnson Esquire prosecuting the plea of the State of Indiana in this behalf and says that he will no further prosecute the said defendant on the indictment aforesaid. It is therefore considered

by the court here that the said defendant as to the said indictment go hence thereof without day -

7

State of Indiana)
)
vs) Indictment for Retailing
)
Joel Leverich)

Now at this time comes Thomas Johnson Esquire prosecuting the plea of the State of Indiana in this behalf and says that he will no further prosecute the said defendant on the indictment aforesaid.

It is therefore considered by the court here that the said defendant as to said Indictment go hence thereof without day

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8

State of Indiana)
)
vs) Indictment for Retailing
)
Joel Leverich)

Now at this time comes Thomas Johnson Esquire prosecuting the plea of the State of Indiana in this behalf and says that he will no further prosecute the said defendant on the Indictment aforesaid. It is therefore considered by the court here that the said defendant as to said Indictment go hence thereof without day -

State of Indiana)
)
LaGrange County) 7.
)
vs) Indictment for Retailing
)
Joel Leverich)

Now at this time comes Thomas Johnson Esquire prosecuting the plea of the State of Indiana in this behalf and says that he will no further prosecute the said defendant on the Indictment aforesaid

It is therefore considered by the court here that the said defendant as to said Indictment go hence thereof without day -

State of Indiana)
)
vs) Indictment for an Assault & Battery
)
Joel Leverich)

Now at this time comes Thomas Johnson Esquire prosecuting the plea of the State of Indiana in this behalf and says that he will no further prosecute the said defendant on the Indictment aforesaid

It is therefore considered by the court here that the said defendant as to said Indictment go hence thereof without day -

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State of Indiana)
)
~~LaG~~ [sic] vs) Indictment for Retailing

)
)
Francis P. Jewitt)

Now comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the defendant in his own proper person also comes and being arraigned upon the indictment aforesaid and it being demanded how he will acquit himself thereof for plea thereto ~~indictment aforesaid~~ [sic]says he is not guilty in manner and form as charged in said indictment, and by the consent of the parties a Jury is waived and the issue in this behalf is submitted to the decision of the court, and thereupon the court here having heard the evidence and the argument of the parties are of opinion that the said defendant is guilty in manner and form as he stands charged in said indictment and ~~that he make~~ [sic] assess his fine in the sum of two dollars. It is therefore considered by the court now here that the State of Indiana do recover against the said defendant the sum of two dollars as above assessed besides ~~the~~ [sic] her costs and charges in this behalf expended, and thereupon comes personally into open court Hohn Kromer and acknowledges himself replevin bail and security for the payment of the avove Judgment and all costs accrued accruing or to accrue within three months from this date -

Received the amount of the above Judgment and costs January 31st 1838

J. T. Hobbs clk

Per R. H. Fury Dep clk

State of Indiana) 12
)
vs) Indictment for Retailing
)
Francis F. Jewitt)

Now at this time Comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the defendant in his own proper person also comes and being arraigned upon the indictment aforesaid ~~for~~ [sic] and it being forthwith demanded of him how he will acquit himself of the offence [sic] in the said indictment charged against him for plea thereto says he is guilty in manner and form as he stands charged in said indictment and for trial thereof he puts himself upon the country, and thereupon the court assesses ~~this~~ [sic] a fine against the said defendant of the sum

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of two dollars. It is therefore considered by the court now here that the State of Indiana do recover against the said Francis F. Jewitt defendant the sum of two dollars as above assessed besides the costs & charges of this prosicution [sic] and that he stands committed to the custody of the sheriff until the said fine and costs are paid or Replevied. And thereupon here comes into open court John Kromer amd aclmpw;edged himself replevin bail and security for the said defendant, for the payment of said fine and costs, accrued accruing or to accrue within three months from this

date - .

Rec[d] the amount of the above Judgment and costs January 31st 1838

J. T. Hobbs Clk

Pr R. H. Fury Dep Clk

State of Indiana) 13
)
vs) Indictment for Retailing
)
Francis F. Jewitt)

Now at this time comes Thomas Johnson Esquire prsecuting the pleas of the State of Indiana in this behalf, and the defendant in his own proper person also comes and being arraigned upon the indictment aforesaid, and it being forthwith demanded of him how he will acquit himself of the offence in the said indictment charged against him, ~~and~~ [sic] for plea thereto says he is guilty in manner and form as he stands charged in said indictment, and thereupon the court assesses a fine against the said defendant of the sum of two dollars. It is therefore considered by the court now here that the State of Indiana do recover against the said Francis F. Jewitt defendant the sum of two dollars as above assessed, besides the costs & charges of this prosecution and that he stands committed to the custody of the sheriff until the said find and costs are paid or Replevied, and thereupon here comes into open court John Kromer and acknowledged himself replevin bail and security for the said defendant for the payment of said fine and costs, accrued accruing or to accrue within three

months from this date -

Rec^{d} the amount of the above Judgment and costs

Jany 31 1838 J. T. Hobbs Clk

R. H. Fury Dep Clk

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October Term 1837

State of Indiana) No. 10
)
vs) Indictment for retailing
)
Francis F. Jewitt)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf, and says he will no further prosecute the said defendant on the indictment aforesaid. It is therefore considered by the court that the said defendant as to said Indictment go hence ~~thereof acquit~~ [sic] thereof without day

State of Indiana) No. 14
)
vs) Indictment for retailing
)
Francis F. Jewitt)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and says he will no further prosecute the said defendant on the indictment aforesaid. It is therefore considered by the court that the said defendant as to said indictment go hence ~~thereof acquit~~ [sic] thereof without day

State of Indiana) No. 15
)
vs) Indictment for retailing
)
Francis F. Jewitt)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and says he will no further prosecute the said defendant on the indictment aforesaid

It is therefore considered by the court that the said defendant as to said indictment go hence ~~aequit~~ [sic] thereof without day.

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October Term 1837

State of Indiana) No. 16
)
vs) Indictment for retailing
)
Francis F. Jewitt)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf, and says he will no ~~longer~~ [sic] further prosecute the said defendant on the indictment aforesaid. It is therefore considered by the court that the said defendant as to said indictment go hence ~~aequit~~ [sic] thereof without day

State of Indiana) No. 17
)
vs) Indictment for Gameing [sic]
)
Richard Fowler)

Now at this time Thomas Johnson prosecuting the pleas of the State of Indiana in this behalf and the said Richard Fowler in his own proper person also comes and being arraigned upon the indictment aforesaid and it being forthwith demanded of him how how [sic] he will acquit himself of the offence therein charged against him, says that he cannot gainsay or deny but he is guilty in manner and form as he stand indicted; Thereupon the court assess his fine at the sum of one dollar. It is therefore considered by the court that the said defendant do make his fine to the State of Indiana in the sum of one dollar besides the costs of this prosecution and that he stand committed to the custody of the sheriff untill [sic] said fine and costs are paid or replevied and the defendant in mercy &c.

State of Indiana) No. 21
)
vs) Indictment for violation of Election Laws
)
Albert Powell)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant

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in his own proper person also comes and moves the court to quash the indictment aforesaid for errors apparent upon the face thereof, which motion is by the court sustained. It is therefore considered by the court that the said defendant as

State of Indiana)
)
vs.) No. 11
)
Plaintiff,) Indictment for violation of Illegal Liquor Possession

to said indictment go hence ~~acquit~~ [sic] thereof without day

State of Indiana) No. 22
)
vs) Indictment for betting
)
Hiram Harding)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and being arraigned upon the indictment aforesaid and it being forthwith demanded of him how he will acquit himself of the offence therein charged against him, says he is not guilty in manner and form as he stands indicted and by consent of parties a jury is waived and this cause for trial is submitted to the summary decision of the court and thereupon the court having heard the evidence do find the defendant not guilty as charged in said indictment. It is therefore considered by the court here that the said defendant as to said indictment and offence go hence acquit thereof without day

State of Indiana) No. 24
)
vs) Indictment for betting
)
Almon Lawrence)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes, and being arraigned upon the indictment aforesaid and it being

forthwith demanded of him, how he will acquit himself thereof, for plea thereto, says that he cannot gainsay or deny, but he is guilty in manner and form as he stands charged in said indictment. Thereupon the court assess his fine at the sum of one dollar. It is therefore considered by the court that the said

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defendant do make his fine to the State of Indiana in the sum of one dollar as above assessed besides the cost of this prosecution and that he stand committed to the custody of the Sheriff until said fine and cost are paid or replevied. And the defendant in mercy &c

Rec^{d} the amt of the above Judgment & costs December 1st 1837 - $10.66

J. T. Hobbs Clk

R. H. Fury Dep Clk

State of Indiana) No. 32
)
vs) Indictment for Assault & Battery
)
Benjamin Mashon)

Now comes at this time Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and being ~~arrai~~ [sic] arraigned upon the indictment aforesaid and it being forthwith demanded of him how he will acquit himself of the offence therein charged against him for plea thereto says that he cannot gainsay or deny but

he is guilty in manner and form as he stands charged in said indictment. Thereupon the court assess his fine at the sum of three dollars. It is therefore considered by the court that the said defendant do make his fine to the State of Indiana in the sum of three dollars as above assessed together with the costs of this prosecution and that he stand committed to the custody of the Sheriff until said fine and costs are paid or replevied. And the defendant in mercy &c

State of Indiana) No. 19
)
vs) Indictment for gaming
)
George Horning)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and being arraigned upon the indictment aforesaid and it being forthwith demanded of him how he will acquit himself of the offence therein charged against him for pleas thereto says that he cannot gainsay or deny but he is guilty in manner and form as he stands charged in said indictment. Thereupon the court assess his fine at the sum of one dollar. It is therefore considered by the

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court that the said State of Indiana do recover against the said defendant the sum of one dollar as above assessed besides her costs and charges in this behalf laid out and expended.

And the defendant in mercy &c

State of Indiana) No. 23
)
vs)
)
Benjamin Mashon)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and being arraigned upon the indictment aforesaid and it being forthwith demanded of him how he will acquit himself of the offence therein charged against him for plea thereto says he is not guilty in manner and form as he stands indicted and for trial thereof for good or for evil he puts himself upon the country. And the said prosecutor doth the like. Thereupon here comes a jury to try the issue joined between the parties aforesaid to wit Chauncey Shepherd, Elijah Fothergill, Peter Miller, John B. Clark, Aaron Thompson, Ralph Selby, William Craig, John Anderson, Elisha Dickenson Thompson Green John Hall John Briggs and Peter VanDevanter twelve good and lawful men discreet freeholders and householders of the county of Lagrange who being duly elected tried and sworn the truth to say upon the issue joined between the parties afiresaid and a true verdict give according to the evidence. And after hearing the proofs and allegations of the parties and the charge of the court find the following verdict to wit - "We the jury do find the defendant not guilty"

It is therefore considered by the court that the said defendant as to said indictment and offence go hence acquit thereof without day

Peter L. Mason She[r]iff now produces in court his commission as Sheriff of Lagrange County from the Governor of the State of Indiana upon which is endorsed in due form of Law an oath to support the constitution of the united [sic] States and the constitution of the State of Indiana, also an oath of office as required by Law

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October Term 1837

State of Indiana) No. 27
)
vs) Indictment for retailing
)
Isaac Buckley)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and on his motion a rule is granted against the Sheriff of Kosciusko County to show cause ~~why an attachment should not issue against him for contempt in failing to~~ [sic] on the first day of the next term of this court why why [sic] an attachment should not issue against him for failing to execute & return the capias ad respondendum to him directed against the said defendant ~~has not been executed and returned~~ [sic] to this court as required by law.

State of Indiana) No. 28
)
vs) Indictment for selling Spirituous liquors
)
Isaac Buekley) to be drank [sic] in his hou se

Now at this time comes Thomas Johnson Esquire presecuting the pleas of the State of Indiana in this behalf and on his motion a rule is granted against the Sheriff of Kosciusko County to show cause on the first day of the next term of this court why an attachment should not issue against him for failing to execute and return the capias ad respondendum to him directed against the said defendant ~~has-not-been-executed~~ [sic] and ~~returned-to~~ [sic] this court as required by law.

State of Indiana) No. 26
)
vs) Indictment for gaining.
)
Isaac Buckley)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and on his motion a rule is granted against the Sheriff of Kosciusko County, to show cause on the first day of the next term of this court why an attachment should not issue against him for failing to execute & return the capias ad respondendum to him direcred against the said defendant ~~has-not-been-executed and-returned~~ [sic] to this court as required by law.

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October Term 1837

State of Indiana) 26
)
vs) Indictment for Gameing [sic]
)
James Belote)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and on his motion an alias capias directed to the Sheriff of Lagrange County is awarded ~~in-this-behalf~~ [sic] and this cause is continued

State of Indiana) 40
)
vs) Indictment for Gameing [sic]
)
James Belote)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and on his motion an alias capies is directed to the Sheriff of Lagrange County is awarded ~~in-this-behalf~~ [sic] and this cause is continued

State of Indiana) 42
)
vs) Attachment for Contempt
)
Samuel Brown)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the defendant in his own proper person also comes who being duly sworn in open court and required to purge himself from an alledged [sic] contempt in not obeying the process

of this court wherein he was summonsed to appear & serve on the grand Jury at the last term of this court and the court after hearing his excuse do say and find the said defendant Samuel Brown not guilty. It is therefore considered that the said defendant Samuel Brown as to the

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Alledged [sic] contempt aforesaid do go hence thereof acquit without day.

Albert Andrews) 25
)
vs) Debt
)
John Bovee)

Now comes the said plaintiff by Smith his attorney as also the said defendant in his own proper person and thereupon the said defendant John Bovee ~~now here in open court~~ [sic] says that he cannot gainsay but that he owes & is indebted to the plaintiff, and now here in open court freely confesses that he owes and is indebted to the said plaintiff Albert Andrews in the Sum of one hundred and twenty five dollars in debt, and the Sum of five dollars and twenty cents in damages for the detention thereof

It is therefore considered by the court here that the said plaintiff do have and recover against the said defendant the aforesaid sum of one hundred and twenty five dollars in debt as also the said sum of five dollars and twenty cents in damage for the detention thereof/making in all the sum of one

hundred and thirty dollars & twenty cents as also his costs and charges in this behalf laid out and expended and the defendant in mercy &c.

And the court adjourned untill [sic] tomorrow morning 9 Oclock

Signed on the 31st day of October 1837

C. W. Ewing

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October Term 1837

Tuesday morning 9 oclock October 31st 1837

Present the same Judges and officers of the court as on yesterday

State of Indiana) 18
)
vs) Indictment for Betting -
)
George Harding)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and being arraigned upon the Indictment aforesaid and it being forthwith demanded of him how he will acquit himself thereof, for plea thereto says he is not guilty in manner and form as he stands charged in said indictment and for trial thereof he puts himself upon the country, and the said prosecutor doth the like Thereupon by consent of parties a Jury

is waived and this cause for trial is submitted to the summary decision of the court. And the court after hearing the evidence ~~an~~ [sic] do find the defendant not guilty in manner and form as he stands indicted.. It is therefore considered by the court that the said defen[d]ant as to said indictment and offence go hence acquit thereof without day

State of Indiana) 38
)
vs) Indictment for Larceny
)
Nicholas Goodrich)

Now at this time cines Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and ~~the said~~ [sic] on his motion an alias capias is awarded directed to the Sheriff of Lagrange County, and this cause is continued

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State of Indiana on the relation) 1
)
of William Latta)
)
vs) Debt on bond
)
Samuel Robinson)
)
James Leverich)
)
William Thrall)

Now at this time comes the parties and the said defendants withdraw their Second plea in this behalf and day is given

Jacob Omstead) 2
)
vs) Assumpsit
)
Demerry Tillottson)

Now at this time comes the parties and on motion of plaintiff a rule is granted against the said defendant to plead on or before tomorrow morning and day is given -

James Brewster) 6
)
vs) Assumpsit
)
Moses Chapman)

Now at this time comes the plaintiff and moves the court to continue this cause for process untill [sic] the next Term of this court which is granted by the court

Jonathan Woodruff, Jr.) 9
)
vs) Assumpsit
)
Asa P. Adams)

Now at this time comes the parties and the said defendant files his plea of general issue in this behalf (in these words here insert it) and day is given

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James McConnell) 12
)
vs) Assumpsit
)
William F. Beavers)

Now at this times [sic] come the parties and

the said defendant files his demuer [sic] to the said plaintiffs declaration (in these words here insert it), and a rule is granted against the said ~~defendant~~ [sic] plaintiff to Join or or before the next calling of this cause and day is given

Dimick Harding	)	8
	)	
vs	)	Debt on appeal
	)	
Robert Johnson &	)	
	)	
Anthony Johnson	)	

Now at this time comes [sic] the parties and ~~the~~ [sic] by their agreement the Judgment of the Justice of the peace before whom this cause was tried is confined with ten percent damages thereof Therefore it is considered by the court that the said Dimick Harding do recover against the said Rovert Johnson and Anthony Johnson the sum of one hundred dollars and eighty Seven cents. being the amount of the Judgment Rendered by the Justice of the peace before whom this cause was tried besides the Sum of three dollars and twelve and one half cents interest thereon. Together with the sum of ten dollars and eight cents, the ten per cent damages thereon making in all the Sum of one hundred and thirteen dollars and ninety Seven cents.. and his costs and charges in this behalf laid out and expended

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October Term 1837

George Smith) 13
)
vs) Attachment on Appeal
)
David Jewett)

Now at this time comes the parteis [sic] and by their agreement the appeal in this case is dismissed at the costs of the said defendant ~~and~~ [sic]

It is therefore considered by the court that the said plaintiff do ~~it~~ [sic] recover against the said defendant his costs and charges in this behalf laid out and expended

Albert Powell) 15
)
vs) Trespass on the case on appeal
)
Abraham Gray)

Now at this time come the the [sic] parties and the defendant moves the court to dismiss this cause for want of a sufficient cause of action which motion the said plaintiff confesses, and asks leave to amend his ~~cause of~~ [sic] cause of action by tomorrow morning, which is granted by the court upon payment of all costs up to the present time ~~or~~ [sic] confessing a Judgment therefor & staying the same

Robert Hamilton) 16
)
vs) Debt
)
Daniel Fox)

Now at this time come the parties and by agreement the said defendant is discharged on common bail and the recognizance of Special vail is set aside and the said Special bail is now discharged from all liability in this behalf and this cause is by operation of Law continued

Silvester Cornwell et al) 17
)
vs)
) Trespass on the case
Nathaniel O. Archer &)
)
Jeremiah Case)

Now at this time comes the parties and thereupon the said defendant files

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his demurrur [sic] to the said plaintiffs declaration in this words (here insert it) and the said plaintiffs now file ther [sic] Joinder in these words (here insert it) and day is given

Nathaniel Sawyer) 19
)
vs) Trespass on the case
)
George F. Whitaker)

Now at this time come the parties and by their agreement this cause is dismissed at the costs of the said plaintiff.. It is therefore considered by the court that the said defendant do recover against the said plaintiff his costs & charges in this behalf laid out and expended & the

defendant in mercy &c

Henry Wilcox) 18
)
vs) Trespass on the case
)
Drusus Nichols)

Now come the parties and the said plaintiff withdraws his papers and discontinues his aforesaid action at his own costs which are here paid

Reuben Sheldon) 20
)
vs)
) Trespass on the case
Nathaniel O. Aarcher [sic] &)
)
Jeremiah Case [Chase?])

Now comes the parties and the said defendants now files [sic] their demurrur [sic] to the said plaintiffs declaration in these words here insert it ~~and defendant given~~ [sic] and thereupon the said plaintiff files his joinder in these words here insert it and day is given

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Silvester Langdon &) 21
)
Timothy Andrews)
)
vs) Trespass on the case
)
Jeremiah Case)
)
Nathaniel O. Archer)

Now comes the parties and the defendants file

their demurrur [sic] to the said plaintiffs declaration in these words (here insert it) ~~and day is given~~ [sic] and the said plaintiffs file their joinder in these words here insert it) and and [sic] day is given

George Palmer)
)
vs) 22
)
Jeremiah Case &) Trespass on the case
)
Nathaniel O. Archer)

Now at this time comes the parteis [sic] aforesaid and the said defendants files [sic] their demurrur [sic] to the said plaintiffs declaration in these words (here insert it) ~~and day is given~~ [sic] and the said plaintiff files his Joinder in these words here insert it & day is given -

Soloman Griswold) 24
)
vs) Trespass on the case
)
Joshua Week)

Now comes the plaintiff and on his motion an alias capias is awarded in this behalf and this cause is continued

Jonathan Woodruff J.r) 26
)
vs)
)
~~Asa P. Adams~~ [sic])
)
Brice [?] Hays)

Now comes the parties and the said defendant

files his plea of general issue in these words (here insert it) and the said plaintiff asks and obtains leave to amend his declaration in

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this behalf on or before the next call of this cause and day is given

Inhabitants of Congressional Township N^{O} 37 Range 10 East in Lagrange County	)	27
vs	)	Trespass
Otis Newton	)	

Now at this time comes the parties and the said defendant files his demurrur [sic] to the plaintiff Declaration (in these words here insert it) ~~and day is given~~ [sic] and the said plaintiffs file their Joinder in these words here insert it and day is given -

Jonathan Woodruff Jr.	)	29
vs	)	Foreign attachment
William Raynolds & Elijah Thomas	)	

Now at this time comes the plaintiff and by operation of Law this cause is continued untill [sic] the next Term of this court

Asa P. Adams) 30
)
vs) Trespass
)
Jonathan Woodruff Jr.)

Now at this time comes the partes [sic] and the defendant now files his plea of general issue in this behalf (in these words) here insert - & day is given

R. B. Phelps) 7
)
vs) Debt on appeal
)
Abram Cole)

Now comes the parties and by their agreement this cause is dismissed, each party pay to pay [sic] one half of the costs - which cost the said parties are respectively ordered to pay within sixty days Feb 3rd

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October Term 1837

State of Indiana) 25
)
vs) Indictment for Retailing
)
Francis Rhodes)

Now comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and on his motion this cause is continued and an alias Capias directed to the Sheriff of Stuben [sic] County is awarded -

State of Indiana) - No. 1 -
)
vs) Indictment for Retailing
)
Morris M. Haskins

Now comes at this time Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and being araigned [sic] upon the indictment aforesaid And ot being forthwith demanded of him how he will acquit himself of the offence [sic] therein charged against him, for plea thereto says that he cannot gainsay or deny but he is guilty in Manner and form as he stands charged in said indictment, Thereupon the court assesses his fine at the sum of two dollars, It is therefore considered by the court now here that the said defendant do make his fine to the State of Indiana in the sum of two dollars as above assessed together with the costs ~~and charges~~ [sic] of this prosecutian [sic] and ~~and~~ [sic] that he stand committed to the custody of the sheriff until said fine and costs are paid or replevied. And thereupon comes personally ~~comes~~ [sic] into open court David G. Haskins and acknowledges himself replevin bail and security for the payment of the above Judgment and all costs accrued accruing or to accrue within three months from this date

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October Term 1837

State of Indiana)
)
vs) N.O 20
)
Robert Hume) Indictment for receiving unlawful Interest

Now comes at this time Thomas Johnson Esquire

prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes, and being araigned [sic] upon the indictment aforesaid, and it being forthwith demanded of him how he will acquit himself of the offence [sic] therein charged against him for plea thereto says that he cannot gainsay or deny but he is guilty in manner and form as he stands charged in said indictment, thereupon the court assess his fine at the sum of One dollar and thirty three cents, it is therefore considered by the court now here that the said defendant do make his fine to the State of Indiana in the sum of One dollar and thirty three cents as above assessed, together with the costs of this prosecution and that he stand committed to the custody of the sheriff until said fine and costs are paid or replevied, and the defendant in mercy &c

Rec^{d} the amount of the above Judgment Int & costs Lima Decr 15th 1837 J. T. Hobbs Clk

R. H. Fury Dep

State of Indiana) 29
)
vs) Indictment for Betting at Cards
)
Benjamin Mashone)

Now at this times [sic] comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes, and being arraigned upon the indictment aforesaid

And it being forthwith demanded of him how he will acquit himself thereof, for plea thereto, says he is not guilty in manner and form as he stands charged in said indictment, and for trial thereof he puts himself upon the country, and the said prosecutor doth the like thereupon by consent of parties a Jury is waived and this cause for trial is submitted to the summary decission [sic] of the court. And the court after hearing the evidence do find the defendant not guilty in

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manner and form as he stands charged in said indictment it is therefore considered by the court now here, that the said defendant as to said indictment and offence go hence acquit thereof without day

State of Indiana)
)
vs) Indictment for Betting
)
Samuel Howard)

N^{O} 30

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf, and the said defendant in his own proper person also comes, and being arraigned upon the Indictment aforesaid and it being forthwith demanded of him how he will acquit himself of the offence therein charged against him for plea thereto says he is not guilty in manner and form as he stands charged in said indictment and for trial thereof for good or for evil he puts himself upon the country, and the said prosecutor

doth the like. Thereupon here comes a jury to try the issue joined between the parties aforesaid to wit Chauncy K. Shepard Elijah Fothergill Peter Miller Thompson Green Aaron Thompson Ralph Salby Samuel Parker Elisha Dickinson William Craig Thomas Newell John Briggs & Peter Vandervanter, twelve good and lawful men discreet free holders and house holders of the county of LaGrange who being duly elected tried and swotn the truth to say upon the issue joined between the parties aforesaid and a true verdict give according to the evidence, and after hearing the proofs and allegations of the parties, and the charge of the court, find the following verdict, to wit, We the jury do find the defendant not guilty. It is therefore considered by the court now here that the said defendant as to said indictment and offence go hence acquit thereof without day

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October Term 1837

State of Indiana)
)
vs)
)
Thomas Lock)

N^{O} 31

Indictment for Betting

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf, and the said defendant in his own proper person also comes, and being arraigned upon the Indictment aforesaid, and it being forthwith demanded of him how he will acquit himself

thereof, for plea thereto says he is not guilty in manner and form as he stands charged in said Indictment, and for trial thereof he puts himself upon the country, and the said prosecutor doth the like, thereupon by consent of parties a Jury is waived and the cause for trial is submitted to the summary decission [sic] of the court. And the court after hearing the evidence do find the defendant not guilty in manner and form as he stands charged in said indictment, it is therefore considered by the court now here that the said defendant as to said indictment and offence go hence acquit thereof without day

State of Indiana) N^{O} 32
)
vs) Indictment for Assault & Battery
)
Benjamin Mashone)

Now at this time comes into open court Hiram Harding and acknowledges himself replevin vail and security for the said defendant for the payment of the said fine and costs accrued accruing and to accrue within three months from the renditition [sic] of the said Judgment

State of Indiana) N^{O} 33.
)
vs) Indictment for Gaming
)
Samuel Howard)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State

of Indiana in this behalf, and the said defendant in his own proper person also comes, and being arraigned upon the Indictment aforesaid, and it being forthwith demanded of him how he will acquit himself thereof, for plea thereto says he is not guilty in manner and form as he stands charged in said Indictment, and for trial thereof he puts himself upon the country, and the said prosecutor doth the like, thereupon by consent of parties a Jury is waived and this cause for trial is submitted to the summary decissian [sic] of the court. And the court after hearing the evidence do find the defendant not guilty in manner and form as he stands charged in said indictment it is therefore considered by the court now here that the said defendant as to said indictment and offence go hence acquit thereof without day

State of Indiana)
)
vs)
)
Micajah Harding Jr)

N^{O} 34

Indictment for Betting

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf, and the said defendant in his own proper person also comes and being arraigned upon the indictment aforesaid, and it being forthwith demanded of him how he will acquit himself thereof for plea thereto says he is not guilty in

manner and form as he stands charged in said indictment and for trial thereof he puts himself upon the country, and the said prosecutor doth the like, thereupon by consent of parties a Jury is waived and this cause for trial is submitted to the summary decissian [sic] of the court. And the court after hearing the evidence do find the defendant not guilty in manner and form as he stands charged in said indictment, it is therefore considered by the court now here that the said defendant as to said indictment and offence go hence acquit thereof without day

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State of Indiana) N^{O} 35
)
vs) Indictment for Betting
)
Obediah Samson)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes, and being arraigned upon the indictment aforesaid, and it being forthwith demanded of him how he will acquit himself ~~thereof~~ [sic] of the offence therein charged against him for plea thereto says that he cannot gainsay or deny but he is guilty in manner and form as he stands charged in said indictment, thereupon the court assess his fine at the sum of One dollar - It is therefore considered by the court

now here that the said defendant do make his fine to the State of Indiana in the sum of One dollar as above assessed, together with the costs of this prosecution, and that he stand committed to the custody of the sheriff until said fine and costs are paid or replevied and the defendant in mercy &c

Rec^{d} the amount of the above fine and costs Decr 8th 1837

J. T. Hobbs Clk

per R. H. Fury Dept Clk

State of Indiana)
)
vs) N^{O} 34
) Indictment for Betting
Micajah Harding, Jr.)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf, and the ~~defendant-also~~ [sic] said defendant in his own proper person also comes, and being arraigned upon the indictment aforesaid, and it being forthwith demanded of him how he will acquit himself thereof, for plea thereto says he is not guilty in manner and form as he stands charged in said indictment, and for trial thereof he puts himself upon the country - And the said prosecutor doth the like, thereupon by consent of parties

p. 153 October Term 1837 -

a jury is waived and this cause for trial is submitted to the summary decissian [sic] of the court, and the court after hearing the evidence do find the defendant guilty in manner

and form as he stand charged in said Indictment, and assess his fine in the sum of One dollar, it is therefore considered by the court now here that the State of Indiana do recover against the said defendant the sum of One dollar as above assessed besides her cost and charges in this behalf laid out and expended. And thereupon comes personally into open court Hiram Harding and acknowledges himself replevin bail and security for the payment of the above ~~fine~~ [sic] Judgment and all costs accrued accruing or to accrue within three months from this date -

State of Indiana) N^{O} 37 -
)
vs) Indictment for Gaming
)
Hiram Harding)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf, And the said defendant in his own proper person also comes, and being arraigned upon the Indictment aforesaid and it being forthwith demanded of him how he will acquit himself thereof, for plea thereto says he is not guilty in manner and form as he stands charged in said Indictment, And for trial thereof he puts himself upon the country. And the said prosecutor doth the like. thereupon by consent of parties a Jury is waived and the cause for trial is submitted to the summary decissian [sic] of the court. And the court after hearing the evidence

do find the defendant guilty in manner and form as he stands charged in said Indictment, and assess his fine in the sum of One dollar. It is therefore considered by

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the court now here that the State of Indiana do recover against the said defendant the sum of One dollar as above assessed, besides her costs and charges in this behalf laid out and expended - And thereupon comes personally into open court Micajah Harding Jr and acknowledges himself replevin bail and security for the payment of the above Judgment and all costs accrued accruing or to accrue within three months from this date

Rec^{d} the amt of the above fine Jany 29th 1838 J. T. Hobbs Clk

R. H. Fury Dep Clk

State of Indiana)
)
vs)
)
Alfred H. Murray)

N^{O} 43

Attachment for Contempt

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf, And the defendant in his own proper person also comes, who being duly sworn in open court and required to purge himself from an alledged [sic] contempt in not obeying the prossess [sic] of this court wherein he was summoned to appear and serve on the grand Jury at the last term of the court, After

hearing his excuse do say and find the said defendant Alfred H. Murray not guilty. It is therefore considered by the court now here that the said defendant ~~Samuel Barns~~ [sic] Alfred H. Murray as to the alledged [sic] contempt aforesaid, do go hence acquit thereof without day

State of Indiana) N° 46
)
vs) Indictment for Assault & Battery
)
Jonas Tillapaugh)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf, and the said

October Term 1837

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defendant in his own proper person also comes and being arraigned upon the Indictment aforesaid and it being forthwith demanded of him how he will acquit himself of the offence therein charged against him for plea thereto says that he cannot gainsay or deny but he is guilty in manner and form as he stands charged in said Indictment, thereupon the court assess his fine at the sum of three dollars. It is therefore considered by the court now here that the said defendant do make his fine to the State of Indiana in the sum of three dollars as above assessed together with the costs of this prosecution, and that he stand committed to the custody of the sheriff until said fine and costs are paid or replevid [sic]. And thereupon comes personally into open court Moses N. Hill

and acknowlidges [sic] himself replevin bail and security for the payment of the above ~~fine~~ [sic] Judgment and costs accrued accruing or to accrue within three months from this date -

Rec the amount of the above Judgment Jany 22 1838 -

State of Indiana on the relation	)	
of ~~Robert~~ [sic] William Latta	)	
vs	)	Debt on bond
Samuel Robinson	)	
~~Noah~~ [sic] William Thrall	)	
James Leverich	)	

Now come the parties & the said Relator William Latta into open court here enters his voluntary retraxit in this cause & says he will no further procede [sic] therein & it is agreed upon by the parties here ~~in open~~ [sic] that no docket fee shall be taxed in the costs of this cause - & thereupon it is considered by the court now here that the said defendants Samuel Robinson ~~Noah~~ [sic] William Thrall & James

p. 156 Leverich as to the said action go here acquit thereof without day ~~de~~ [sic] recover of the said relator William Latta their costs & charges in this behalf laid out & expended - & it is ordered by the court here that a docket fee be not taxed in the costs of this cause

And the court Adjourn untill [sic] tomorrow morning -

Signed on the 1st day of November A. D. 1837

C. W. Ewing

Wednesday Morning 9 Oclock November 1st 1837 court met pursuant to adjournment. The same Judges and officers of the court as on yesterday

John C. Kinney)
)
vs) Scire facias on transcript of
)
James Sommers) Justice of the peace to bond real estate -

Biw at this times [sic] comes the plaintiff and it appearing to the satisfaction of the court, that on the seventeenth day of January in the year 1837 said transcript was filed in the office of the clerk of this court, by which transcript it appears that on the 2nd day of January 1837, the said plaintiff obtained a Judgment against the said defendant before Albert Powell a Justice of the peace of Lagrange County for the sum of seventy five dollars and fifty seven cents besides the sum of one dollar and thirty cents costs and it also appearing to the court that two several writs of Scire facias have been issued against the said defendant in this behalf to show cause why execution should not be awarded against him both of which

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which [sic] two writs with the returns thereon are in the words & figures to wit (here insert) writs are returned by

the sheriff not found -

It is therefore ordered by the court that the said John C. Kinney have execution against the goods chattles [sic] , lands, and tenements of the said James Sommers defendant for the sum in said Judgment and Scire facias specified, and that he recover against the said defendant his costs and charges in this behalf laid out and expended

Jacob Omstead) 2
)
vs) Assumpsit
)
Demerry Tillottson)

Now at this time comes [sic] the parties and by their agreement the said defendant now in open court freely confesses ~~to-owe-and-be-justly-indebted-to-the-said plaintiff-in-the-sum-of-One-hundred-dollars~~ [sic] that he did undertake and promise in manner and form as the said plaintiff in his declaration hath alledged [sic] against him, and by reason of the non performance thereof that the said plaintiff hath sustained damages to the amount of One hundred dollars, for which sum the said defendant now voluntarily confesses Judgment

It is therefore considered by the court that the said ~~defendant~~ [sic] plaintiff do recover against the said defendant the sum of one hundred dollars as above confessed, besides his costs and charges in this behalf laid out and expended, & the defendant in mercy &c Thereupon comes into open

court John Kromer and acknowledges himself replevin bail and security for the said defendant for the payment of the above Judgment and costs accrued accruing and to accrue in ~~one-hundred-and-fifty-days-from-this-date--~~ [sic] this behalf

Recv[d] on the above thirty two dollars Jacob Omstead -

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Samuel Greenfield) 5
)
vs) Debt on Appeal
)
Tunis Spears)

Now comes the said ~~defendant~~ [sic] plaintiff in proper person and moves the court for a continuance of this cause which motion is overruled & day is given &c

The Court now appoint John Kromer county Surveyor for the County of LaGrange for the term of three years from this date, and order that the said John Kromer enter into a penal Bond to the acceptance of the Clerk of said Court in the sum of Five Thousand dollars conditioned for the faithful discharge of his duties as such County Surveyor the said Kromer now produces & files his bond as ordered by the Court aforesaid with the following names Subscribed thereto, John Kromer Ethan A. Brown Elmore Belote Francis F. Jewett Frederick Hamilton Nath[l] A. Archer Demerry Tillotson J M. Anderson M. Averill Daniel Harding and thereupon the said Kromer ~~being~~ [sic] now in open court is sworn faithfully to dis-

charge the duties of his office according to law -

The Grand Jury now come into court and return one bill of indictment found by them as a true bill and signed by their foreman as such also a report of the county Jail and having no further business are by the court discharged

State vs Robert Johnson Thomas Johnson & William B. Fowler
Ind.t for Larceny

It is ordered by the court that a writ of Capias [?] pendendum do issue upon the said indictment found by the Grand Jury at the present Term, And that the defendants be required to enter into recognizance in the sum of three hundred dollars each with Security in the like Sum -

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Sylvester Cornwell	)	17
Abner Fox George Humfrey	)	
vs	)	Trespass on the case
Nathaniel O. Archer	)	
Jeremiah Case	)	

Now come the parties and the said defendants ~~confess~~ [sic] by leave of the court wothdraw their demurrur [sic] and file their two several pleas in this behalf in these words (here insert it); and day is given upon payment of the costs of this term -

James McConnell) 12
)
vs) Assumpsit
)
William F. Beavers)

Now comes [sic] the parties and thereupon the [and]
said plaintiff confesses the demurrur [six] aforesaid/withdraws his Joinder, and asks and obtains leave to amend his declaration in Sixty days and this cause is continued at costs of the plaintiff of the term which he is ordered to pay in sixty days

Albert Powell) 15
)
vs) Trespass on the case
)
Abram Gray)

Now come the parties and on motion of defendant this cause is dismissed ~~for want of sufficient cause of action~~ [sic] at the costs of the said plaintiff It is therefore considered by the court that that [sic] the said defendant do recover against the said plaintiff his costs and charges in this behalf laid out and expended

p. 160 October Term 1837

Reuben Shelden) 20
)
vs) Trespass on the case
)
Nathaniel O. Archer)
)
Jeremiah Case)

Now at this time come the parties and the said defendants amend their pleadings in this behalf by withdrawing their ~~Joinder~~ [sic] demurrur [sic] and fileing [sic] their two several pleas in these words (here insert them) on payment of all costs up to the present Term which they are ordered to pay in Sixty days and day is given

Silvester Langdon & Timothy Andrews	21	
vs	Trespass on the case	
Nathaniel O. Archer Jeremiah Case		

Now come the parties and thereupon the said defendants amend their pleadings in this behalf by withdrawing their demurrur & fileing their two several pleas in these words (here insert them) on payment of all costs up to the present Term which are ordered to be paid in Sixty days.. & day is given

George Palmer	22	
vs	Trespass on the case	
Nathaniel O. Archer Jeremiah Case		

Now come the parties and the court having herd [sic] the argument of counsel on the demurrur aforesaid and having sufficiently advised of and concerning the premises

are of opinion that the matters and things as alledged [sic] and set forth in the said plain-

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tiffs [declaration?] are insufficient in Law to Entitle the said plaintiff to have and maintain their aforesaid action thereof against the said defendants And the said plaintiff now withdraws his Joinder and asks and obtains leave to amend his declaration in this behalf in Sixty days at the costs of the present Term and which costs are ordered to be paid in Sixty days - this cause is continued -

Ex parte)
)
William S. Prentiss) On appeal from the deciscion [sic]
)
et al - -) of the board of Commissioners -

Now comes [sic] the said plaintiffs by heir attorney - And thereupon E. B. Smith Esquire an attorney of this court & as a friend thereof moves the court to set aside the proceedings in this cause & dismiss the same for errors & defects apparent upon the transcrip [sic] now on file - and the court not being sufficiently advised in the remises give the parties day to here [sic] their decision thereon -

Jonathan Woodruff Jr) 9
)
vs) Assumpsit
)
Asa P. Adams)

Now come the parties and the issue being joined between them here comes a Jury to try issue aforesaid to wit, Elisha Dickenson Thomas Newell John Anderson Samuel Parker John Briggs Elijah Fothergill Aaron Thompson Peter Miller Ralph Selby, Peter VanDeventer William Craig & Andrew Johnson twelve good and lawful men discreet freeholders and house holders of the county of Lagrange aforesaid who are elected tried and sworn the truth to speak

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on the issue joined between the parties aforesaid and a true Verdict give according to the evidence and after hearing the prooffs [sic] and allegations of the parties and argument of counsel and the charge of the court retire under charge of a Sworn Officer of this court to deliberate upon the verdict and after deliberation had return into open court under charge of said sworn officer with the following Verdict We the Jury do find for the plaintiff and assess his damages at thirty dollars and two cents. ~~It is therefore Considered by the court now here that the said plaintiff do recover against the said defendant Asa P. Adams the sum of Thirty dollars and two cents in damages as by the jury aforesaid assessed, besides his costs and charges in this behalf laid out and expended~~ [sic]

And said plaintiff now gives notice that he will move for a new trial in this cause & day is given -

Levi Knott) 10
)
vs) Trespass on the Case
)
Archibald Boyles)
)
Levi Montgomery)

Now at this time comes the parties and ~~the said~~ plaintiff [sic]/on motion of the plaintiff this cause is dismissed at the ~~he withdraws his papers in this behalf~~ [sic] costs of the plaintiff It is therefore considered by the court now here that the said defendant do recover against the said plaintiff his costs and charges in this behalf laid out and expended, and the plaintiff in mercy &c

Jonathan Woodruff Jr) 26
)
vs) Debt on a promisary [sic] Note
)
Brice Hays)

Now at this time comes the parties and the said plaintiff files his amended decleration [sic] in these words (here insert it) And thereupon on motion of the defendant this cause is continued ~~by operation of law~~ [sic] until the next term of

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this court at the cost of the plaintiff It is therefore ~~considered~~ [sic] ordered by the court that the said plaintiff pay the costs of the present term ~~and this cause is continued~~ [sic] within Ninety day or in default thereof that he be attached

Inhabitants of Congressional) 27
)
T. 37 Range 10 East LaGrange County)
)
vs) Trespass
)
Otis Newton) Judge Newton absent

ow comes the parties and the court having heard the argument of Counsel on the demurrer aforesaid and having sufficiently advised of and concerning the premises are of opinian [sic] that the matters and things as alledged [sic] and set forth in the plaintiffs decleration [sic] are insufficient in law to entitle the said plaintiffs to have and maintain their aforesaid action thereof against the said defendant. And the said plaintiffs now withdraws/[sic] their joinder and asks and obtains [sic] leave to amend their decleration [sic] in this behalf on tomorrow morning which leave is granted at the costs of plaintiffs of the present term ~~term and day is given~~ [sic] which the said plaintiffs are ordered to pay in sixty days. And the plaintiffs in mercy &c

Andrew Johnson) 28
)
vs) Replevin
)
Robert Dayton)

Now at this time comes the parties and on motion of the defendant this cause is is [sic] dismissed ~~by operation of law~~ [sic] at the plaintiffs costs, for want of a decleration [sic] being filed in this behalf. It is

therefore considered by the court that the said defendant do recover against the said plaintiff his costs and charges in this behalf laid out and expended. ~~and-tha-within-ninety-days-from-the-date-hereof-or-in-dagault-thereof-that-he-be-attached-and-the-plaintiff-in-merey-&e~~ [sic]

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October Term 1837

George F. Whitaker)
)
vs) Debt
)
Thayer H. Codding)

- 31 -

Now at this time comes the the [sic] parties And on Motion of the said defendant this cause is dismissed ~~by-operation-of-law~~ [sic] at the plaintiffs costs for want of a decleration [sic] being filed in this behalf. It is therefore considered by the court that the said defendant do recover against the plaintiff his costs and charges in this behalf laid out and expended ~~within-ninety-days-from-the-date-hereto-or-in-default-thereof-that~~ he be ~~attached, and-the-plaintiff-in-merey-e&~~ [sic]

And the court adjourned untill [sic] to morrow Morning 9 Oclock

Signed on the 2nd day of November A. D. 1837

C. W. Ewing

Thursday morning 9 oclock Novembet 2nd 1837 court met

pursuant to adjournment. Same Judges and officers of the court as on yesterday present

Abraham Cole) 3
)
vs) Trespass on appeal
)
William Adair et al)

Now comes the Said plaintiff and on his motion this cause is continued and a writ of inquiry denovo [sic] awarded returnable on the first day of the next Term of this court

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Samuel Greenfield) 5
)
vs) Debt on Appeal
)
Tunis Spears)

Now comes the said plaintiff by E. B. Smith his attorney and the said defendant being three times Solemnly called comes not but herein makes default whereby the said plaintiffs action remains wholy [sic] unanswered and undefended and the said defendant having failed to prosecute his appeal in this behalf the Judgment of the Justice of the peace before whom this cause was tried is by the court confirmed with ten per cent damages thereon. It is therefore considered by the court that the said plaintiff do recover against the said defendant the sum of five dollars being the

amount of the Judgment of said Justice of the peace with fifty cents being ten per cent thereof, together with eleven cents, interest on said Judgment, makeing [sic] in all the sum of five dollars sixty one cents, besides his cosrs and charges in this behalf laid out and expended -

Sylvester Cornwell)		
)		
Abner Fox & George)	17	
)		
Humfrey)		
)		
vs)	Trespass on the case	
)		
Nathaniel O. Archer)		
)		
Jeremiah Case)		

Now come the parties and the said plaintiffs add their _____[?] to defts first plea in these words (here insert) & file their replication to the said defendants Second plea in this behalf in these words (here insert it) and thereupon the

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the issues being Joined between the parties aforesaid a Jury is waived by the agreement of the parties and this cause is submitted to the summary decision of the court and the court after hearing the evidence and the argument of counsel ~~are of-opinion-that-the-said-defendants-did-undertake-and-promise~~ [sic] do find for the plaintiffs and assess their damages at the sum of five hundred and Six dollars and Sixty Six cents the sum in said promissory note specified, besides

the sum of Sexteen dollars and ninety five cents interest thereof, making in all the sum of five hundred and twenty three dollars and sixty one cents, together with his costs and charges in this behalf laid out and expended

Reuben Shelden)
)
vs) 20 Trespass on the case
)
Nathaniel O. Archer)
)
Jeremiah Case)

Now come the parties and the issue being joined between them by their agreement a Jury is waived and this cause for trial is submitted to the summary decision of the court. And the court after hearing the evidence do find for the plaintiff and assess his ~~in~~ [sic] damages in the sum of two hundred and eighty one dollars the amount in said promissory note specified, besides the sum of three dollars and fifty one cents the interest thereon making in all the sum of two hundred and eighty four dollars and fifty one cents - together with his costs and charges in this behalf laid out and expended -

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Sylvester Langdon)
) 21
Timothy Andrews)
)
vs) Trespass on the case
)
Nathaniel O. Archer)

[Nathaniel O. Archer])
)
Jeremiah Case)

Now comes [sic] the parties and the said ~~plaintiffs~~ [sic] defendant by Colerick his counsel, by leave of the court withdraws his pleadings and and [sic] appearance in this behalf and the said defendants being three times Solemnly called come not but herein makes default, whereby the plaintiffs action remains unanswered and undefended, and it appearing to the court that the writ in this cause had been serv^{d} on said defendants ten days prior to the first day of this Term by the sheriff by said writ and the sheriffs return thereon which writ and return are in the words and figures to wit (here insert them) It is therefore considered by the court that the said plaintiffs do recover against the said defendants the sum of eleven hundred and eighty seven dollars and fifty nine sents, the sum in the said three several promissory notes specified, besides the sum of twenty one dollars and ninety two cents the interest thereon making in all the sum of twelve hundred and nine dollars and fifty one cents, together with his costs and charges in this behalf laid out and expended - & the defendant in mercy &c -

Inhabitants of congressional)
)
Township N^{o} 37, Range Ten) 27
)
East, of Lagrange County.) Trespass.

[Inhabitants, etc.])
)
vs)
)
Otis Newton)

Now at this time come the parties and the said plaintiffs by leave of the court withdraw their papers in this behalf and voluntarily suffers a non-suit.. It is therefore considered by the court that the said plaintiffs take nothing by their said action in this behalf and that the said defendant do recover against the said plaintiffs his costs and charges in this behalf laid out and expended & the plaintiffs in mercy &c

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Thomas Gale) 5
)
vs) Bill in chancery to foreclose mortgage
)
William T. Codding)

Now at this time come the parties and by their agreement this cause is dismissed at the cost of the said defendant which are now here paid

Asa P. Adams)
)
vs) Trespass 30th
)
Jonathan Woodruff Jr)

Now at this time comes the parties and the isses [sic] being Joined between them the Sheriff of said

county of Lagrange Now brings into court the following Jury to try the issue between the parties aforesaid, to wit Chauncy K. Shepard, Elijah Fothergill, Thomas Newell, James A. F. Nichols, John Anderson, Brutus Stockwell, Samuel Parker, Ralph Selby, ~~William~~ [sic] James Kinney, Aaron Thompson, Peter Miller, John Briggs, twelve good and lawful men discreet freeholders and house houlders [sic] of the County of LaGrange aforesaid who are elected tried and sworn the truth to speak on the issue joined between the parties aforesaid and a true verdict give according to the evidence and after hearing the prooffs [sic] and allegations of the parties and argument of Counsel and the charge of the Court, return under charge of a sworn officer of the court to deliberate upon the verdict, and after deliberation had return into open court under charge of said Sworn Officer with the following Verdict, We the Jury find the defendant guilty and assess the plaintiffs damages at twenty five dollars. It is therefore considered by the court now here that the said plaintiff do recover against the said defendant Jonathan

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Woodruff Jr the sum of Twentyfive dollars as by the Jury aforesaid assessed, besides his costs and charges in this behalf laid out and expended

I assign all my right title interest claim and demand to the above and foregoing Judgment to Nathan Merriman

--Lima 6 November 1837 A. P. Adams §SEAL§

Atts R. H. Fury

~~State of Indiana~~ [sic]

Albert Powell) 11
)
vs) Writ of Ner [sic] Exeat
)
William P. Bromly)

Now comes [sic] the parties, & the defendant moves the court to quash the writ & set aside the proceedings in this behalf, for errors appearent upon the Said writ & proceedings, which motion is by the court here Sustained & ~~therefore is ordered by the court that the~~ [sic] & said writ in this behalf is quashed, & the proceedings therein set aside It is therefore considered by the court now here that the Said defendant do recover of the said plaintiffs [sic] his costs & charges in this behalf laid out & expended -

F. J. Norton) 14
)
vs) Debt on Appeal
)
George F. Whitaker)

Now come the parties & by their agreement the appeal in this behalf is dismissed at the Said defendant's own proper costs - It is therefore considered by the court now here, that the Said plaintiff do recover of Saud defendant his costs & charges in this behalf laid out & ex-

pended

p. 170 October Term 1837 -

& thereupon a procedendo is awarded by the court hear [sic] to the Justice of the peace from whom the appeal in this ~~behalf~~ [sic] cause was taken requiring him to procede [sic] in the collection of the Judgment heretofore rendered by him in this behalf -

Exparta [sic] 23

William S. Prentiss & others)
)
et at [sic]) On appeal from the
)
) decission [sic] of the
)
) board of County Commissioners

Now come the said ~~party~~ [sic] plaintiffs by their attorney and on motion of the said plaintiff this cause is continued until the next term of this court -

State of Indiana) 39
)
vs) Indictment for Gaming
)
Thomas Howard)

Now comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant under the name of William T. Howard together with Chauncy K. Shepard also comes who acknowledges themselves to owe and be indebted to the State of Indiana in the sum of twenty five dollars each to be levied of their

respective goods and chattles [sic] lands and tenements if default be made in the following conditions which is that the said defendant William T. Howard who stands charged in said indictment under the name of Thomas Howard, shall personally be and appear before the Judges of the said La Grange Circuit Court on the first day of the next term thereof, to be holden at the court house of said county then and there to answer to the State of Indiana on an indictment for Gaming, abide the Judgment of the court thereon and not depart thence, without the leave of said court

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The court assess a fine of two dollars against William T. Howard in favour of the State of Indiana for contempt of court, which fine is now paid

State of Indiana)
)
vs) Indictment for
)
~~Samuel~~ [sic] Thomas Howard) ~~Betting~~ [sic] Gaming.

Now comes Thomas Johnson as also the said defendant in his own proper person and thereupon the said defendent [sic] ~~William~~ [sic] Thomas Howard and Chancy K. Shepheard personally acknowledged themselves to owe and be indebted to the State of Indiana in the sum of twenty five dollars each to be levied of their respective goods and chattles [sic] lands and tenements if default be

made in the following condition which condition is that the said Thomas Howard Shall be and appear before the Judges of the Lagrange Circuit court, on the first day of the next term thereof to answer unto the State of Indiana in an Indictment prepared against him

State of Indiana)
)
vs) Attachment for contempt
)
Moses N. Hill)

Now comes the said defendant and being put upon his oath to purge himself of the alledged [sic] contempt aforesaid, and the cout [sic] after hearing his excuse order that he be discharged

p. 172 The following is a Report of the condition of the County Jail to wit We the Grand Jury Repot [sic] that there is no jail" Signed James Campbell foreman"

And the court adjourned until tomorrow morning -

Signed on the 3rd day of November

A. D. 1837 C. W.„Ewing

Friday Morning 8 oclock Nov. 3rd A. D. 1837

Court met pursuant to adjournment present the same Judges (except Judge Cely who is absent) and officers as on yesterday -

Jonathan Woodruff J^{r})
)
vs) Assumpsit
)
Asa P. Adams)

Now come the parties and by their agreement the verdict heretofore found in this cause is set aside & a new trial is granted in this cause - and leave is granted to said plaintiff to amend his declaration within thirty days - and the defendant to amend his pleas within ninety days and this cause is continued.

p. 173 Thomas Reese)
)
vs) Bill in chancery for Specific performance
)
Elias L. Reese)

Now come the parties and thereupon the defendent [sic] refiles his demurrir [sic] to the said complainants amended bill of complaint in these words (here insert it) and the said complainants also refiles his joinder in demurrer in these words here insert. And the court after hearing the argument of counsel are of the opinion that the Said bill of complaint and the matters and things therein contained are insufficient in law for the said complainant to have or maintain his aforesaid action, Whereupon the said complainant dismisses his said action It is therefore considered by the court here that the said defendent [sic] Elias L. Reese do have and recover against the said Complainant Thomas

Reese his costs and charges in this behalf laid out and expended and the complainant ~~plaintiff~~ [sic] in mercy &c.

Luke Hammond)
)
vs) Petition for conveyance of real estate -
)
Almon Hammond)
)
Alonson Hammond)

Now comes the said complainant by Howe his attorney and it appearing to the court on the affidavit of John B. ~~Howe~~ [sic] Clark that the said defendants are not residents of the State of Indiana and that due notice of the pendency of said Petition has been given to the said defendants by publication in the Fort Wayne Sentinel being a newspaper published nearest to the ~~said~~ [sic] land mentioned in said Petition as shown and proved by the affidavit of John B. Howe and it also appearing by proof to the satisfaction of the court that

p. 174 the full amount of the purchase money had been paid before the filing of said petition according to the conditions of the title bond in said petition mentioned. Thereupon the court appoint William S. Prentiss commissioner to convey by deed the fee simple of said land in said Title bond specified to the said Luke Hammond according to the conditions of said obligation and the prayer of said petition. And it is ordered by the court that the said commissioner make report of his proceeding herein with the original title bond to

this court on the first day of the next Term thereof & the cause is continued.

George F. Whitaker)
)
vs) Bill in Chancery
)
John Spencer)
)
Reuben J. Dawson)
)
James McConnell)

Now comes the complainant by Counsel and on his motion an alias Subpeona [sic] directed to Allen County is awarded and this cause is continued.

Abram Cole)
)
vs) Bill in Chancery
)
William Adair and others)

Ordered by the court that this cause be certified to the Supreme court, the president Judge of this court having been concerned as counsel

p. 175 Ex parte William Less) Application to become Naturalized

Now at this time personally appeared in open court William Less and produced to the court, here a certificate from the clerk of this court of his having taken the preparatory oath required by law which is in the werds [sic] & figures following (here insert it) and it appearing to the satisfaction of the court upon the oath of Joshua T. Hobbs

and William S. Prentiss citizens of the United States that the said William Less has ~~been~~ [sic] resided for years in the United States and one year in the State of Indiana and that he is of good moral character and has demeaned himself well towards the institutions and laws of the United States Whereupon the Said William Less is now duly sworn in open court to support the constitution of the United States and the constitution of the State of Indiana next preceding this application and that he ~~will~~- [sic] has bona fidey [sic] renounced all allegiance and fidelity to every foreign prince potentate stare and sorereignty, whatever and particularly to her majesty Victoria Queen of the United kingdoms of great britian [sic] and Ireland and the said William Less is now admitted to all the benefits and priviledges [sic] of Citizens of the United States.

Ordered that it be certified to the board of County Commissioners of Lagrange County that Luther Newton, and Ephraim Seely Esquires have served the first five days ~~each~~ [sic] and the second four days as associate Judges of this court at the present term

p. 176 Ordered that Asa P. Adams and James M. Keith be allowed [dollars?] four days/each for four days services as bailiff to this court during the present Term

The court do now appoint John B. Howe Joshua T. Hobbs and Elias B. Scurth[?] as examiners of common Schools for the county of Lagrange who are severally sworn in open court to faithfully discharge the duties of their respective appointments

Ordered that Peter L. Mason be allowed three dollars for the use of a room three days for th eGrand Jury at the present term of this court.

State of Indiana)
) SS
Lagrange County)

I Charles W. Ewing President Judge of the Eight Judicial circuit in said state having this day examined the Clerks office of said county, do find that there is no complete record book in said office nor is there any complete record therein of any cause which has been entered of record in said court nor is there any Judgment docket or book in which is entered in alphabetical order ~~all~~ [sic] the Judgments which habe been rendered in said court and that in other respects the books in said office are well kept and all the papers therein in good perservation [sic] I am also informed by the clerk of said county that the complete record book and Judgment docket belonging to his office were stolen therefrom on the night preceeding [sic] the first day of the term

p. 177 before last of this court, and have not yet been found or

55

recovered nor has the thief been discovered

Lima Nov 3rd 1837

(Signed) C. W. Ewing

Exparte, William S. Prentice	)	Appeal from the
	)	Board of County
	)	
	)	Commissioners

Now comes the said William Prentice and moves the court for a rule against the board of County commissioners of Lagrange county to shew cause on the first day of the next term of this court, why a Mandamas [sic] shall not issue against them to amend thir [sic] record in the above intitled [sic] cause so far as to make the petition filed the said William Prentice & others a part thereof which rule is granted by the court

All pleas plaints and other matters which are now depending in this court and not heretofore disposed of are hereby continued until the next term of this court.

And the court adjourned until court in course

Signed November 3rd A. D. 1837

C. W. Ewing

p. 178 State of Indiana) (24)
)SS
LaGrange County) Personally appeared before me oshua T. Hobbs Clerk of the LaGrange Circuit Court Obidiah

Lawrence and acknowledged himself replevin bail and security for Alman Lawrence for the payment of a Judgment of One dollar rendered against him in the LaGrange circuit court on the first day of the October Term 1837 in favor of the State of Indiana together with the costs thereon and costs to accrue in three months from the rendition of the same

Taken and aproved [sic] by) Obidiah Lawrence
me this 17th day of Nov 1837) §SEAL§
J. T. Hobbs Clk)
Pr R. H. Fury Dept)

State of Indiana) N° 35
) SS
LaGrange County) Personally appeared before me Joshua T. Hobbs Clerk of the LaGrange Circuit Court Alman Lawrence and acknowledged himself replevin bail and security for Ovidiah Lawrince [sic] for the payment of a Judgment of One dollar rendered against him in the LaGrange Circuit Court on the Second day of the October Term 1837 - in favour of the State of Indiana together with the costs thereon and cosrs to accrue in three months from the renditition [sic] of the same

Taken and aproved [sic] by)
me this 17 day of Nov 1837) Alman Lawrence §SEAL§
J. T. Hobbs Clk
Pr R. H. Fury Dept

p. 179 State of Indiana)
) SS
LaGrange County) Personally appeared before me Richard H. Fury Dept Clerk of the LaGrange Circuit Court Palmer Granice and Issac P. Granice and acknowledged themselves replevin bail and Security for Jeremiah Case and Nathanial O. Archer for the payment of a Judgment of Five hundred and Twenty three dollars and Sixty one Cents rendered against them [sic] the said Jeremiah Case & Nathaniel O. Archer in the LaGrange Circuit Court on the 2nd day of November 1837 being the fourth day of the October Term 1837 in favour of Sylvester Cornwell Abner Fox and George Humphrey together with costs thereon and costs to accrue in one year from the rendition thereof

Taken and aproved [sic] Isaac P. Grannis §SEAL§
by me this 9th December 1837

J. T. Hobbs Clk

Pr R. H. Fury Det Clk Palmer Grannis §SEAL§

the stay of one year is given by agreement of John B. Howe Atty for the plaintiff

State of Indiana)
)
LaGrange County) Personally appeared before me Richard H. Fury Dept Clerk of the LaGrange Circuit Court Palmer Granice and Isaac P. Granice and acknowledged themselves replevin bail and Security for Jeremiah Case and Nathaniel O. Archer for the payment of a Judgment of ~~the Sum of~~ [sic] Two hundred

and Eighty four dollars and fifty one cents, rendered against them the said Jeremiah Case & Nathaniel O. Archer in the La Grange Circuit Court on the 2nd day of November 1837, being the 4th day of the October Term 1837 in favour of Rueben Sheldon together with costs thereon and costs to accrue in One year from the rendition of the Same

Taken and aproved [sic])
)
by me this 9th day of December 1837) Isaac P. Grannis §SEAL§

J. T. Hobbs Clk

Pr R. H. Fury Dept Clk Palmer Grannis §SEAL§

The stay of one year is given by agreement of John B. Howe Atty for the plaintiff

p. 180

Robert Dayton Adm.)
)
vs)
)
Isaac P. Grannis)
)
Horace Hall)
)
& William Hanson)
)
In Chancery)
)

Thursday the 25th January 1838, before the Honorable Luther Newton & Ephraim Seely Associate Judges of LaGrange County

And now to wit on this 25th day of January 1838, before the Honorable Luther Newton & Ephraim Seely associate Judges of LaGrange County, Comes the Said Robert Dayton administrator of the personal Estate of George Bulmer deceased intestate, & moves ~~for~~ [sic] before the said Judges for the allowance of a writ of injunction in said

cause to be issued by said Judges against the above defendants, together with the usual powers of Supboena, enjoining (by said writ) & restraining said defendants from the commission of waste in the premises named in ~~said~~ [sic] the bill filed in said cause, by the cutting down & prostrating of any oak or white wood trees Suitable for the manufacture of saw-logs, until Such time as said injunction shall be dissolved by the Judges of the LaGrange Circuit Court - Said bill having been ~~run~~ [sic] filed in the Clerks office of LaGrange County, & the affidavit of the truth thereof made before the making & allowance of said motion towit on the day & year last aforesaid & ten days notice of the making of said motion ~~bee~~ [sic] being hear [sic] excused, the said case being one of emergency: which said motion is by the said Judges hear [sic] allowed & sustained & it is thereupon by said Judges ordered & directed that a writ of injunction with power of subpoena do issue agreeably to the terms of said motion

Thursday 25th January 1838 Luther Newton

Ephraim Seely

p. 181 Albert Powell) N° 1
)
vs) debt on transcript of a Judgment
)
Jeremiah Case) from a Justice of the Peace filed
)
Nathaniel O. Archer) in the Clerks office on the 3rd

day of Februay [sic] 1838

J. T. Hobbs Clerk

R. H. Fury Dep^{t} Clk

Albert Powell)
)
vs)
)
Jeremiah Case &)
)
Nathaniel O. Archer)

N^{O} 2

debt on transcript of a Judgment from a Justice of the Peace filed in the Clerks office on the 3rd day of Februay 1838 -

J. T. Hobbs Clerk

R. H. Fury Dep^{t} Clk

Albert Powell)
)
vs)
)
Jeremiah Case &)
)
Nathaniel O. Archer)

N^{O} 3

Debt on transcript of a Judgment from a Justice of the Peace filed in the Clerks office on the 3rd day of Februry [sic] 1838

J. T. Hobbs Clerk

R. H. Fury Dep^{t} Clk

Albert Powell)
)
vs)
)
Jeremiah Case &)
)
Nathaniel O. Archer)

N^{O} 4

Debt on transcript of a Judgment from a Justice of the Peace filed in the Clerks office on the 3rd day of Februay [sic] 1838

J. T. Hobbs Clerk

R. H. Fury Dep^{t} Clk

p. 182 [Blank Page]

p. 183 At a Term of the Lagrange Circuit court began [sic] and held at the court house in the Town of Lima LaGrange County State of Indiana within and for the county of La grange in the State of Indiana on Monday the 16th day of April in the year of Our Lord one thousand Eight hundred and thirty eight. Before the Honorable Charles W. Ewing President and presiding Judge of the Eighth Judicial Circuit of the State of Indiana and the Honorable Luther Newton and Ephraim Seely associate Judges of the Lagrange Circuit court - also present Joshua T. Hobbs Clerk of said court and Peter L. Mason, sheriff of Lagrange County.

The Sheriff of Lagrange County now brings into court the following pannel [sic] of Grand Jurors summoned by virtue of a vinerie [sic] facias heretofore to him directed to wit John Kromer who is by the court appointed foreman and is Sworn as such David Elmore Christopher Cory Jesse Harding Robert Hamilton John C. Howard Ira Hays Robert Cummings Edward Robbins Samuel Cory Jonathan Gardner eleven in number and no more of the persons named in the said venieri [sic] facias answering to their names when called the sheriff by order of the court now summons & places in the pannel the

[illegible]

following by standers to wit Abraham Cole Samuel Robinson George M. Boyd Daniel Harding William T. Howard Francis F. Jewett and James Campbell seven in number who with the aforesaid eleven make eighteen good and lawful men, free holders and house holders of the County of Lagrange aforesaid, who being duly empannelled [sic] tried charged and Sworn well and truly to enquire within a-d for the body of the county lf Lagrange aforesaid, retire to their room to deliberate on their duty under charge of James B. Cowles a sworn officer of this court G. J. serv^{d} 4 days

p. 184

April Term 1838

N^{O} 10

State of Indiana)
)
vs) on rule to shew cause
)
Sheriff of Kosciusko Co.) why attachment should
)
) not issue against him
)
) for contempt

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and Isaac Kirkendall the said defendant in his own proper person also comes, and being put upon his oath to purge himself of the alledged [sic] contempt aforesaid, and after being interrogated therin [sic] is by the court discharged

N^{O} 11

State of Indiana)
)
vs) on rule to shew cause why
)
Sheriff of Kosciusko Co.) Attachment should not issue
)
) against him for contempt -

Now comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and Isaac Kirkendall the said defendant in his own proper person and being put upon his oath to purge himself of the alledged [sic] contempt aforesaid and after being interrogated thereon is by the court discharged

N^{O} 12

State of Indiana)
)
vs) On rule to Shew cause why
)
Sheriff of Kosciusko Co.) Attachment should not issue
)
) against him for contempt

Now comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said Shireff [sic] in his own proper person also comes and being put upon his oath to purge himself of the alledged contempt aforesaid and after being interrogated thereon is by the court discharged -

p. 185

April Term 1838

State of Indiana) N^{O} 1
)
vs) Indictment for Retailing -
)
Isaac Buckley)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and being arraigned upon the indictment aforesaid and it being forthwith demanded of him how he will acquit himself of the charge contained therein against [him] for plea thereto sayd he is not guilty and for trial thereof he puts himself upon the country and the said prosecutor doth the like and by agreement of the parties a Jury is waived and this cause for trial is submitted to the summary decision of the court and the court after hearing the evidence do find the defendant not guilty - It is therefore considered by the court that the said defendant as to said Indictment and offence [sic] go hence acquit thereof without day

State of Indiana) N^{O} 2
)
vs) Indictment for Selling Spirituous
)
Isaac Buckley) liquor without licence [sic] -

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf, and says that he will no further prosecute the said defendant on the Indictment aforesaid.

It is therefore considered by the court now here that

the said defendant as to said Indictment go hence acquit thereof without day -

p. 186

April Term 1st day 1838

State of Indiana)
)
vs)
)
Isaac Buckley)

N° 3 -

Indictment for Gaming

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf. And the said defendant in his own proper person also comes. And being arraigned upon the Indictment aforesaid, and it being forthwith demanded of him how he will acquit himself of the offence [sic] therein charged against him, ~~Says-that~~ [sic] for Plea thereto says he is not guilty in manner and form as he stands charged in said Indictment, and for trial thereof he puts himself upon the country and the said prosecutor doth the like, and by agreement of the parties a Jury is waived and this cause for trial is submitted to the summary decission [sic] of the court, and thereupon the court having heard the evidence, and the argument of counsel - do find the defendant guilty in manner and form as he stands Indicted, and assess his fine at the sum of One dollar - It is therefore Considered by the court now here that the said defendant do make his fine to the State of Indiana in the sum of One dollar as above assessed, together with the costs of this prosecution, and that he stand committed to

the custody of the Sheriff until said fine and costs are paid or replevied. And the defendant in mercy &c

State of Indiana) N^{O} 4
)
vs) Indictment for Gaming -
)
James Belote)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf And the said defendant in his own proper person also comes and being arraigned upon the Indictment aforesaid and it being forthwith demanded of him how he will acquit himself of the offence therein charged against him, for plea thereto says he is not guilty in manner and form as he stands charged in said Indictment, and for trial thereof he puts himself upon the country & the said prosecutor doth the like and by agreement of the parties a Jury is waived and this cause for trial is submitted to the summary decission [sic] of the court, and the court ~~having~~ [sic] after hearing the Evidence do find the defendant not guilty in manner and form as he stands indicted. It is therefore considered by

p. 187 April Term A. D. 1838 - 1st day -

the court now here, that the said defendant as to said Indictment and offence go hence acquit thereof without day -

State of Indiana) N^{O} 5 -
)
vs) Indictment for Gaming
)
James Belote)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf And the said defendant in his own proper person also comes and being arraigned upon the Indictment aforesaid and it being forthwith demanded of him how he will acquit himself of the offence therein charged against him for plea thereto says he is not guilty in manner and form as he stands charged in said Indictment, and for trial thereof he puts himself upon the country, and the said prosecutor doth the like and by agreement of the parties a Jury is waived and this cause for trial is submitted to the summary decission [sic] of the court. And the court after hearing the evidence do find the defendant not guilty in manner and form as he stands Indicted. It is therefore considered by the court now here, that the said defendant as to said Indictment and offence go hence acquit thereof without day -

State of Indiana) N^{O} 6
)
vs) Indictment for Larceny
)
Nicholas Goodrich)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and on his motion an alias capias directed to the

sheriff of LaGrange County is awarded, and this cause is continued -

p. 188

April Term 1838

State of Indiana)
)
vs)
)
Francis Rhodes)

N^{O} 7

Indictment for Retailing

Now at this time comes Thomas Johnson Esq^{r} prosecuting the pleas of the State of Indiana in this behalf and the the [sic] said defendant in his own proper person also comes and being arraigned upon the Indictment aforesaid and it being forthwith demanded of him how he will acquit himself ~~thereof~~ [sic] of the offence therein charged against him for plea thereto says he is not guilty in manner and form as he stands charged in said Indictment and for trial thereof he puts himself upon the country and the said prosecutor doth the like. Thereupon by consent of the parties a Jury is waived and this cause for trial is submitted to the Summary decission [sic] of the court. And the court after hearing the evidence and the argument of counsel do find the defendant guilty in manner and form as he stands Indicted and assess his fine at the sum of two dollars

It is therefore considered by the court now here that that [sic] the said defendant do make his fine to the State

of Indiana in the sum of two dollars as above assessed besides the costs and charges of this prosecution, and that he stand committed to the custody of the sheriff until said fine and costs are paid or replevied

State of Indiana) N^{O} 8
)
vs) Indictment for Gaming
)
Thomas Howard)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and being arraigned upon the Indictment aforesaid and it being forthwith demanded of him how he will acquit himself ~~thereof~~ [sic] of the offence therein charged against him, for plea thereto says he is not guilty in manner and form as he stands charged in said indictment, amd for trial thereof he puts himself upon the country, and the saidprosecutor doth the like. Thereupon by consent of the parties a Jury is waived and this cause for trial is submitted to

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the summary decission [sic] of the court. And the court after hearing the evidence and the argument of County do find the defendant not guilty in manner and form as he stands Indicted ~~and-assess-his-fine-at-the-sum~~ [sic] It is therefore considered by the court now here that the said defendant as to said Indictment and offence go hence acquit thereof with-

out day -

State of Indiana) N^{O} 9
)
vs) Ind^{t} for Grand Larceny
)
Robert Johnson)
)
Thomas Johnson)
)
W^{m} B. Fowler)

Now at this time comes Thomas Johnson Esq^{r} prosecuting the pleas of the State of Indiana in this behalf and the said defendants Robert Johnson & Thomas Johnson in their own proper persons also come and being arraigned upon upon [sic] the Indictment aforesaid, and it being forthwith demanded of them how they will acquit themselve of the offence therein charged against them for plea thereto say they are not guilty in manner and form as they stand charged in said Indictment, and day is given -

Ex parte John Lafley) Application for the benefit of
) Naturalization

Now comes the said John Lafley and files the following declaration of his intention to become a citizen of the United States, which declaration is in these words (here insert)

Ex parte Gordon Dallas) Application for the benefit of
) Naturalization

Now comes the said Gordon Dallas and files the following decleration [sic] of his intention to become a citizen of the United States which decleration is in these words (Here insert it)

p. k90

April Term 1838

Exparta [sic] John Anderson) application for the benefit of Naturalization

Now comes the said John Anderson and files the following decleration of his intention to become a citizen of the United States which decleration is in these words (here insert it)

Exparta Robert Smith) application for the benefit of Naturalization

Now comes the said Robert Smith and files the following decleration of his intention to become a citizen of the United States which decleration is in these words (here insert it)

And the court adjourned untill [sic] to morrow morning 9-oclock

Signed Aprill [sic] 17th 1838

C. W. Ewing

April 17th 1838

April Term 1838, Tuesday Morning 9 oclock court met pursuant to adjournment Same Judges and officers of the court as on yesterday

Robert Hamilton) N° 2
)
vs) Debt
)
Daniel Fox)

Now at this time come the parties and the said plaintiff discontinues his aforesaid action It is therefore considered by the court that the said defendant do recover against the said plaintiff his costs and charges in this behalf laid out and expended

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April Term 1838

George Palmer) 3
)
vs) Trespass on the case
)
Jeremiah Case)
)
Nathaniel O. Archer)

Now at this time comes the parties & the said plaintiff and on motion a rule is granted against the said defendants to plead on or before the next call of this case - and day is given

Solomon Griswold) 4
)
vs) Trespass on the case
)
Joshua Weeks)

Now at this time comes the said plaintiff and the said defendant being three times solemnly called come now but herein makes default Whereby the said plaintiff action remain unanswerd [sic] and undefended, and it appearing to the court that the writ in this behalf had been served ten days before the first day of this term & the declaration being filed ten days It is therefore considered by the court that the said Solomon Griswold do recover against the said defendant Joshua Weeks for the sum of One thousand dollars the amount in said promissory note specified together with the sum of eighty six dollars eighty six cents, the interest thereon making in all the sum of One thousand and eighty six dollars and eighty six cents besides his costs and charges in this behalf laid out and expended, & the defendant in mercy &c -

James McConnell) 5
)
vs) Assumpsit
)
William F. Beavers)

Now comes [sic] the parties and on motion of plaintiff a rule is granted against the said defendant to plead on or before tomorrow morning

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April Term 1838

Jonathan Woodruff Jr) 8
)
vs) Debt
)
Brice Hays)

Now at this time comes the parties and thereupon the said defendants [sic] files his two pleas in this behalf (here insert them) and day is given

Julia Whitaker administratrix)
)
of James Whitaker dec^{d} -) 11
)
vs) Debt
)
William T. Codding)

Now come the parties and thereupon the said defendant files his demurrur [sic] to the said plaintiffs declaration in these words (here insert it) and the said plaintiff files his Joinder in these words (here insert it and day is given

Albert Powell) 12
)
vs) Trespass on the case
)
William P. Bromley)

Now at this time come the parties and thereupon the said defendant files his first plea in this behalf in these words (Here insert) and day is given

Sylvester Langdon)
) 13
Timothy Andrews)
)
vs) Trespass on the case
)
Jeremiah Case)
)
Nathaniel O. Archer)

Now comes the said plaintiff and the said defendant being three times solemnly called come not

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but herein makes default Whereby the said plaintiffs action remains unanswered and undefended, and it appearing to the court that writ in this behalf had been served ten days before the first day of this term & the declaration being filed ten days It is therefore considered by the court that the said plaintiffs do recover against the said defendants Jeremiah Case and Nathaniel O. Archer the sum of four hundred and thirty dollars the amount ~~of~~ [sic] in said promissory note Specified together with the sum of fifteen dollars and nineteen cents interest thereon making in all the sum of four hundred and forty five dollars and nineteen cents, besides his costs and charges in this behalf laid out and expended. And the defendant in mercy &c

Jonathan Woodruff Jr.)
)
vs) Assumpsit
)
Isa P. Adams)

Now at this time come the parteis [sic] and the said ~~defendant~~ [sic] plaintiff files his amended declaration in this behalf in these words (here insert it) and thereupon the said defendant files his two pleas in this behalf in these words (here insert it) and day is given -

Julia Whitaker administratrix)
of James Whitaker dec^{d})
vs) Trespass on the case
George F. Whitaker)

Now come the parteis [sic] and on motion of plaintiff a rule is granted against the said defendant to plead on or before tomorrow morning - & day is given

Amos Stearns) 15
vs) Trespass on the case
James Pierce)

Now come the parties and the said defendant thereupon files his demurrur [sic] to the said plaintiffs declaration in this words here

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insert it) & thereupon the said plaintiff files his Joinder in these words (here insert it) & day is given the parties -

Samuel R. Jennings) 14
Roswell W. Cheney)
vs) Trespass on the case

[Jennings/Cheney vs])
)
James Pierce)

Now come the parties & on motion of plaintiff a rule is granted against the said defendant to plead on tomorrow morning ~~and on his motion a rule is also granted against the sheriff to bring into court the body of the said defebdabt on tomorrow morning & day is given~~ - [sic]

Mary Eiman by)
) 16
her next friend)
)
William M. Holmes)
)
vs) Trespass on the case
)
Seely Benham)

Now at this time come the parties and the said plaintiff discontinues his aforesaid action in this behalf at his own costs. It is therefore considered by the court that the said defendant do recover against the said William M. Holmes his costs and charges in this behalf laid out and expended

George F. Whitaker)
)
vs) Trespass on the case
)
Than H. Codding)

Now come the parteis [sic] and thereupon the said defendant files his first plea in this behalf in these words (here insert it) & day is given

p. 195

April Term 1838 -

Ezekiel Williams)
)
vs) Trespass on the case
)
William Latta)

Now come the parties and thereupon the plaintiff discontinues his aforesaid action in this behalf It is therefore considered by the court that the said defendant do recover against the said plaintiff his costs and charges in this behalf laid out and expended -

Frederick Hamilton) N^{O} 21 -
)
vs) Trespass -
)
Albert Powell)
)
Silas Powell)
)
Shelden Havens)

Now at this time comes the parties and thereupon the said defendants file their two pleas in this behalf in these words (here insert them) and day is given -

Joseph Ingersoll) 22
)
vs) Trespass on the case
)
Harvey W. Wood)

Now at this time comes the said plaintiff by his Attorney and discontinu es his aforesaid action in this behalf at the said plaintiffs own costs - It is therefore considered by the court now here that the said defendant

do recover against the said plaintiff Joseph Ingersoll his costs and charges in this behalf laid out and expended

John Tuwillougher) 32
)
vs) Trespass
)
James Campbell)
)
William Hunt)
)
John Benham)

Now at this time come the parties and thereupon the said defendants file his [sic]

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first plea in this behalf in these words (here insert it) and day is given -

Harvey W. Wood) 23 -
)
vs) debt on appeal
)
Silas Powell)

Now at this time come the parties and the defendant moves the court to dismiss this cause for want of a sufficient cause of action, which motion the said plaintiff confesses, and asks leave to amend his cause of action by tomorrow morning, which leave is granted by the court upon the payment of all costs up to the present time or confess a Judgment therefor and staying the same -

Jeremiah Hays) 31 -
)
vs) debt on appeal -
)
Metger Alvard)

Now at this time come the parties and upon motion of the said plaintiff a rule is granted against Jesse Harding the Justice of the peace before whom this cause was tried to certify a full perfect and comp[l]ete transcript of the Judgment and proceedings of the above intitled [sic] cause on tomorrow morning and day is given -

State of Indiana for the use)
)
of Congressional Township)
)
N^{O} 37 North of Range 10 E)
)
vs) Trespass -
)
Otis Newton)

Now at this time come the parties and thereupon the said defendant files his demurrer to the said plaintiffs decleration [sic] in the words (here insert it) and the said plaintiff files his joinder in these words (here insert it) and day is given -

p. 197 April Term 1838 Ap^{l} 17

Aaron Clark)
)
vs) Trespass on the case
)
Drusus Nichols)

Now at this time comes the parties and thereupon the said defendant files his demurrer to the said plaintiffs decleration [sic] in these words (here insert it) and the said plaintiff files his joinder in these words (here insert it) and day is given -

Richard H. Fury	)	
	)	
vs	)	Trespass on the case -
	)	
Simpson Cummins	)	
	)	
William F. Beavers	)	
	)	
John Cummins	)	

Now at this time comes the plaintiff ~~parties~~ [sic], & the Said defendants by O. C. Hurd [?] their attorney come, & the said Hurd by virtue of a warrant of attorney here produced now here in open court truly confess a Judgment for the Sum of Two thousand and Eight dollars and Seventy cents being the amount in Said promissory note specified together with ten dollars - forty four cents being the interest thereon making in all the Sum of two thousand & Nineteen dollars and fourteen cents in damages, the execution of said warrant of attorney by said defendants being here Satisfactorily proved to the court, as also that Said defendants shall of demand now being [?] (which said warrant of attorney is in these words (here insert it) - And thereupon the premises being seen and due deliberation

thereupon had it is considered by the court here that the said plaintiff do recover against the said defendants the sum of two thousand and eight dollars and seventy cents as above confessed besides the sum of ten dollars and forty four cents being the interest thereon making in all the sum of two thousand and nineteen dollars & fourteen cents in damages as above confessed, besides his costs and charges in this behalf laid out and expended -

I assign the above Judgment to Clement M. Hancox for value recieved [sic] Lima 4th May A. D. 1838

Richard H. Fury -

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April Term 1838

Thomas P. Curtis) N° 40 -
)
vs) Trespass on the case
)
Joshua Weeks)

Now at this time come the parties and on motion a rule is granted against the said defendant to plead on or before tomorrow morning, and day is given

Jonathan Stevens) 41
)
Seth Tucker)
)
vs) Trespass on the case
)
Brutus Stockwell)

Now at this time comes the said plaintiffs,

And the said defendant being theee times Solemnly called comes not but herein makes default. whereby the said plaintiffs action remains unanswered and undefended and it appearing to the court that the writ in this cause had been served on said defendant ten days previous to the first day of this term, as shown by said writ and the sheriffs return thereon which writ and return are in these words (here insert the writ and return) It is therefore considered by the court now here that the said plaintiffs do recover against the said defendant Brutus Stockwell the sum of Four hundred and fifty dollars the amount of said promissory note Specified, together with the sum of Forty three dollars and twenty seven cents interest thereon making in all the Sum of Four hundred and Ninety three dollars and Twenty Seven Cents, besides their costs and charges in this behalf laid out and expended

Daniel M. C. Ludlow) 43
)
vs) Trespass on the case
)
James McConnell)

Now at this time come the parties and by operation of law this cause is continued until the next term of this court -

p. 199

April Term 1838

Amos Crane	)	44
	)	
vs	)	Trespass on the Case
	)	
Abram K. Brower	)	
	)	
Joseph Skerritt	)	

Now at this time come the said plaintiff and ~~the said defendant Abram K. Brower being three times solemnly called comes not but herein makes default whereby the said plaintiffs action remains unanswered and undefended~~ [sic] by his Attorney John B. Howe and it appearing on suggestion that the capias ad respondendum in this behalf directed to the sheriff of this county was returned not found as to one of the said defendants Joseph Skerritt. And the said defendant Abram K. Brower being three times solemnly called comes not but herein makes default whereby the said plaintiffs action remains unanswered and undefended, and it appearing to the court that the writ in this cause had been served on said defendant Abram K. Brower ten days previous to the first day of this term as shown by said writ and the sheriffs return thereon which writ and return are in these words (here insert the writ & return) It is therefore considered by the court now here that the said plaintiff do recover against the said defendant Abram K. Brower the sum of one hundred and Sixty five dollars being the amount of said promissory note specified together with the sum of three dollars and Weventeen Cents

interest thereon, making in all the sum of One hundred and Sixty eight dollars and Seventeen cents, besides his costs and charges in this behalf laid out and expended - And Thereupon comes into open court Jacob Miller and acknowledges himself replevin Bail and Security for the said defendant for the payment of the above Judgment and costs accrued accruing and to accrue in this behalf -

I do hereby assign my interest in one half of the above Judgment to William M. Holmes - May 15th 1838

G. A. Moore

Thomas P. Curtis)
)
vs)
)
Joshua Weeks)
)
Edmund Littlefield)
)
David Stephenson)

- 45 -

Trespass -

Now at this time come the parties and thereupon the said defendants files their two several demurrers to ~~each count in~~ [sic] the said plaintiffs decleration [sic] in these words (here insert it) and the said plaintiff files his joinder in these words (hear [sic] insert it) and day is given

p. 200

April Term 1838

Nathan Merriman)
)
vs) Debt on appeal
)
Norman Gurnsey)

Now at this time comes the said plaintiff and the said defendant being three times solemnly called comes not but herein makes default, whereby the said plaintiffs action remains unanswered and undefended and it appearing to the court that the appeal in this behalf was filed in this court ten days before the first day of this term. It is therefore considered by the court that the said plaintiff do recover against the said defendant the sum of Eighty dollars in debt the amount in said promissory note Specified together with the sum of three dollars twenty cents in damages for the detention thereof making in all the Sum of eighty three dollars and twenty cents besides his costs and charges ~~therein~~ [sic] in this behalf laid out and expended

Drusus Nichols) 49
)
vs) Trespass on the case
)
John B. Clark)

Now at this time comes the Said plaintiff and on his motion an alias capias is awarded in this behalf and this cause is continued -

Thayer H. Codding) 50
)
vs) Trespass on the case
)
John Ewing)

Now at this time comes the said plaintiff and on his motion an alias capias is awarded in this behalf directed to the sheriff of Steuben County - and this cause is continued -

p. 201 April Term 1838

James Brewster)
)
vs) Debt on Bond
)
Moses Chapman)

Now at this time come the parties and by their agreement this cause is dismissed, by each party paying one half of the costs - which costs the said parties are respectively ordered to pay within sixty days -

Jonathan Woodruff Jr) 9
)
vs) debt on promissory note -
)
Brice Hays)

Now at this time come the parties and the said defendant by leav[e] of the court withdraws his second plea in this behalf - And the issue being joined between the parties, by their agreement a Jury is waived and this cause for trial is submitted to the summary decission [sic]

of the court. And the court after hearing the proofs and allegations of the parties do find for the said plaintiff the sum of One hundred and twenty four dollars being the balance due on said promissory note specified, together with the sum of Seven dollars and forty four cents the interest thereon, Making in all the sum of One hundred and thirty one dollars and forty four cents, together with his costs and charges in this behalf laid out and expended

Jonathan Woodruff Jr) 10
)
vs) Writ of foreign attachment
)
William Rynolds &)
)
Elijah Thomas)

Now at this time comes the plaintiff and by operation of law this cause is continued until the next term of this court -

p. 202 April Term 1838 -

Julia Whitaker administratrix)
)
of the Estate of James Whitaker dec)
)
vs) Debt -
)
William T. Codding)

Now come the parties and the court having heard the argument of counsel on the demurrer aforesaid, and having sufficiently advised of and concerning the prem-

ises, are of opinion that the said demurrer ~~aforesaid~~ [sic] be overruled - Thereupon the said defendant by leave of court withdraws his demurrer in this behalf and craves oyer of the letters of administration in this behalf, which is granted & day is given - & the deft is ruled to plead by tomorrow morning

Albert Powell)
)
vs) 12
) Trespass on the case
)
William P. Bromley)

Now come the parties and the said defendant on affidavit filed moves the court to continue this cause, and the court having ~~heard-the-argument-of counsel-and-having~~ [sic] sufficiently advised of and concerning the premises overrule the said defendants motion to which opinion said defendant by counsel excepts - And on motion of said defendant it is ordered that an attachment do issue against John Leverich returnable on tomorrow morning and day is given -

James Rolf)
)
vs) 17
) debt on a writing obligatory
)
Hiram Humphry)

Now at this time comes the said plaintiff and on his motion this cause is continued until the next term of this court

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April Term 1838

Ex parta [sic] George Lotterer } Application to become Naturalized

Now at this time comes personally into open court George Lotterer and produced to the court a certificate from the Clerk of the Supreme Court for the County of Fairfield and State of Ohio, of his having taken the preparatory oath as required by law which is in the words and figures following to wit,

The State of Ohio Fairfield County ss

At the Supreme Court of the State of Ohio in and for the County holden at the court house in the Town of Lancaster in said County on the 15th day of November A. D. 1832 George Lotterer an alian [sic] and resident of this County came into Court and declared on oath that it was his bonafide intentian [sic] to become a citizen of the United States of America. And that he forever renounced all allegince [sic] and fidelity to every foreign Prince, Potentate, State and Sovereignty whatever, and more particularly the Kingdom of Wurteneberg [sic] It was thereupon ordered by the court aforesaid that this application be recorded and certified to him accordingly - In testimony whereof I have hereunto set my hand and afixed [sic] the Seal of said court at Lancaster in the County aforesaid this 15th day of November A. D. 1832 -

Hugh Boyle Ck S. C.

per J. B. Hart D, Pro Tem

And it appearing to the satisfactian [sic] of the court upon the oath of John Kromer & Luther Newton Citizens of the United States that the said George Lotterer has resided five years in the united states [sic] and one year next preceeding [sic] this time in the State of Indiana, and that he is of good moral character and has demeaned himself during all the aforesaid well towards the institutians [sic] and laws of the United States Therefore the said George Lotterer is now duly sworn in open court to support the constitutian [sic] of the United States, and the Constitution of the State of Indiana, ~~next-preceeding-this-application~~ [sic] and that he ~~has-been~~ [sic] renounced all

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April Term 1838

allegiance and fidelity to every foreign prince potentate State and Sovereignty whatever and particularly to King Frederick of the Kingdom of Wurteneburg [sic] of which he was formally a subject and the said George Lotterer is now admitted to all the benefits and priviledges [sic] of the citizens of the United States -

Edward Griswold)
)
vs) Trespass on the case
)
Alonzo P. Clark)
)
Benjamin Clark)

Now at this time comes the said plaintiff by his attorney John B. Howe and it appearing on his suggestion that the capias ad repondendum in this behalf directed to the sheriff of this county was returned not found as to one of the said defendants Benjamin Clark, And the said defendant Alonzo P. Clark being three times solemnly called comes not but herein makes default, whereby the said plaintiffs action remains unanswered and undefended and it appearing to the court that the writ in this cause had been served ten days previous to the first day of this term, as shewn by said writ and the sheriffs return thereon which writ and return are in these words and figures (here insert the writ and the return). It is therefore considered by the court now here that the said plaintiff do recover against the said defendant Alonzo P. Clark the sum of Two hundred and ten dollars being the amount ~~specified~~ [sic] due on said promissory notes specified together with the sum of Twenty two dollars and five cents being the interest thereon making in all the sum of Two hundred and Thirty two dollars and five cents, besides his costs and charges in this behalf laid out and expended -

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April Term 1838

James McConnell) 37
)
vs) Trespass on the case
)
George F. Whitaker)

Now at this time comes the said plaintiff and the said defendant being three times solemnly called comes not but herein makes default, whereby the said plaintiffs action remains unanswered and undefended, and it appearing to the court that the writ in this cause had been served on said defendant ten days previous to the first day of this term as shewn by said writ and the sheriffs return thereon which writ and return are in these words and figures - (here insert the writ and return) It is therefore considered by the court now here that the said plaintiff do recover against the said defendant George F. Whitaker the sum of Seventy two dollars and forty four cents being the amount of said promissory note specified, together with the sum of Sixty two cents being the interest htereon makin[g] in all the sum of Seventy three dollars and Six cents besides his costs and charges in this behalf laid out and expended

Tyler Flemming)
)
vs) Trespass -
)
David Cowen)

Now at this time comes the said plaintiff and the defendant being three times solemnly called comes not but herein makes default. Whereby the said plaintiffs ac-

tian [sic] remains unanswered and undefended and it appearing to the court that the writ in this cause had been served on said defendant ten days privious to the first day of this term which writ and return are in these words and figures (here insert the writ & return) It is therefore considered by the court now here that the said plaintiff Tuler Fleming recover against the said defendant David Cowen his damages in this behalf. But because the court here is not yet advised of the damages aforesaid ~~the~~ [sic] which the said Tyler Fleming hath sustained in the premises It is ordered that a writ of Enquiry do issue directed to the sheriff of said county returnable ~~at the next term of this court~~ [sic] Instanter to assess the damages aforesaid.

and this cause is continued

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April Term 1838

Amos Stearns)
)
vs) Can [?]
)
James Pierce)

Now at this time come the parties and thereupon on argument of the demurrer in this cause ~~the~~ [sic] by consent of parties the Judgment is stayed, & day is given until the next term of this court to hear their Judgment upon the premises, for that the court is not yet sufficiently advised thereof and this cause is continued

State of Indiana)
)
~~Lagrange-County~~ [sic])
)
vs) Indictment for Grand Larceny
)
Robert Johnson)
)
Thomas Johnson)
)
William B. Fowler)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and Robert Johnson one of the said defendants in his own proper person also comes. The issue being Joined between the parties and the said defendant Robert Johnson being separately put upon his trial, the Sheriff by order of the court now bring [sic] into court to try the issue joined as aforesaid the following pannel [sic] of Jurors to wit, Harvey W. Wood John Olney, Asa Olney Jacob VanDeventer John Trask Jacob Sidner Elias Gilbert Levi Wright Samuel A. Howard John Barns Ira Hays & ustavus A. Moore, twelve good and lawful men freeholders and house holders of the County of Lagrange aforesaid who being duly elected tried and sworn the truth to say upon the issue Joined aforesaid and a true verdict give according to the evidence, and after having heard the evidence, the argument of counsel, & charge of the court, retired, to deliberate thereon, and after deliberation thereon being had return into court with the following verdict to wit "We the Jury do find the defendant

not guilty." It is therefore considered by the court that the said defendant as to said indictment and offence [sic] go hence acquit thereof without day

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April Term 1838

David H. Parker)
)
vs) Debt on promissory note
)
Jeremiah Case)
)
Nathaniel O. Archer)

Now at this time comes the parties and the said defendants now in open court firmly [?] confesses to owe and be indebted unto the said plaintiff in the sum of One hundred and forty two dollars and seventy cents, the sum in said promissory note specified together with the sum of five dollars and seventy cents interest thereon making in all the sum of One hundred and forty eight dollars and forty cents -

It is therefore considered by the court that the said plaintiff do recover against the said defendant the sum of one hundred and forty two dollars and Seventy cents, in debt the amount in said note specified together with the sum of five dollars and seventy cents in damages for the detention thereof - making in all the sum of One hundred and forty eight dollars and forty cents, besides his costs and charges in this behalf laid out and expended, & the def^{t} in mercy &c -

And the court ajourned [sic] until tomorrow morning at nine oclock

Signed April the 18th A. D. 1838 -

C. W. Ewing

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April Term 1838

Wednesday Morning 9 oclock April 18th 1838 Court met pursuant to adjournment Same Judges and officers of the court as on yesterday

It is ordered by the court that it be certified of record that Reuben J. Davison is a man of good moral character -

George F. Whitaker) 47
)
vs)
)
Julia Whitaker administratrix)
)
of the Estate of James Whitaker Dec[d]) Now comes the said plaintiff and on his motion leave is granted by the court to the plaintiff to amend his declaration in this behalf in sixty days and this cause is continued

Israel Whitaker) 48
)
vs) debt on a/c appeal from
)
Julia Whitaker administratrix of) Probate Court,
)
the Estate of James Whitaker Dec[d])

Now com [sic] the said plain-

tiff and on his motion leave is granted by the court to the plaintiff to amend his decleration [sic] in this behalf in Ninety days and this cause is continued.

James McConnell) 5
)
vs) Assumpsit
)
William F. Beavers)

Now at this time come the parties and thereupon the said defendant files his two pleas in this behalf in these words (here insert them) & thereupon ~~the~~ [sic] on motion & leave granted by the court hear [sic] the said defendant withdraws his said first plea & day is given -

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April Term 1838

Abram Cole) 7
)
vs) Trespass on appeal,
)
William Adair) continued for inquest.
)
William Adair Jr &)
)
Washington Adair)

Now at this time comes the said ~~the~~ ~~said~~ [sic] plaintiff and the Sheriff of Said County of LaGrange now brings into court the following Jury to assess the damages in this behalf to wit, John Trask Asa Olney John Olney, Jacob Sidner, George Stone, Jacob Vandevanter

David Stephenson, Brice Hays Elias Gilbert Drusus Nichols, William M. Holmes, and James F. Uhderwood twelve good and lawful men house holders and free holders of the County of LaGrange Aforesaid who ~~are~~ [sic] being elected tried and sworn ~~and~~ [sic] a true assessment to make of the damages which the said plaintiff hath Sustained in this behalf, ~~return-under-the~~ [sic] and a true verdict give according to under [?] and having ~~reeeived~~ [sic] heard the evidence & the instructions of the court tetire under the charge of a sworn officer to deliberate upon their verdict - & thereupon return into court under charge of said officer the following verdict, towit We the Jury assess the plaintiff's damages at fifty dollars - It is therefore considered by the court here that the said plaintiffs[sic] do have and recover of the Said defendants the Sum of fifty dollars in damages besides his costs and charges in this behalf laid out and expended & the defendant in mercy &c -

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April Term 1838

Jonathan Woodruff Jr) 8
)
vs) Assumpsit
)
Asa P. Adams)

Now at this time come the parties and thereupon the said plaintiff files his demurrer to the said Second plea of the said defendant in these words (here insert

it) and the said defendant files his joinder in these words (here insert it) & thereupon the court having sufficiently advised upon the premises are of opinion that Said demurrer be Sustained, & thereupon the said defendant withdraws his joinder asks & obtains leave to amend his said Second plea & day is given -

Julia Whitaker administratrix of the Estate of James Whitaker dec^{d}	)	ll
vs	)	debt.
William T. Codding	)	

Now at this time come the parties and thereupon the said defendant files his plea to the said plaintiffs decleration [sic] in these words (here insert it) ~~and day is given~~ - [sic] and the Said plaintiff files her demurrer to said defendants plea in in this behalf in these words (here insert it) and the said defendant files his joinder in these words (here insert it) and day is given

Albert Powell	)	12 -
vs	)	Trespass on the case -
William P. Bromley	)	

Now at this time comes the parties thereupon the said plaintiff discontinues his aforesaid action in this behalf at the said plaintiffs own costs -

It is therefore considered by the court now here that

the said defendant do recover against the said plaintiff his costs and charges in this behalf laid out and expended -

p. 211

April Term 1838 -

Albert Powell)
)
vs) 19 -
)
William P. Bromly) Trespass on the case

Now at this time come the parties thereupon the said defendant files his plea to the said plaintiffs decleration [sic] in these words (here insert it) the said plaintiff adds his similiter - and day is given

Harvey W. Wood)
)
vs) 23
)
Silas Powell) debt on appeal -

Now at this time come the parties thereupon the said plaintiff files his amended decleration [sic] in this behalf in thesese [sic!] words (here insert it) and the issue being joined between the parties a Jury is waived and this cause for trial is submitted to the Summary decission [sic] of the court, And the court having heard the evidence and the argument of Counsel, do find for the defendant ~~and assess his damages at the~~ [sic] in debt Sum of seventy five cents. It is therefore considered by the court now here that the said defendant do recover against the said

plaintiff the sum of Seventy five cents as above ~~assessed~~ [sic] found together with his costs and charges in this behalf laid out and expended -

William C. Satterlee) 24
)
vs) debt on appeal
)
John B. Clark)

Now at this time come the parties and the issue being joined between them by their agreement ~~of the parties~~ [sic] a Jury is waived and this cause for trial is submitted to the summary decission [sic] of the court and the court after hearing the evidence and the argument of counsel do find for the plaintiff ~~and assess his damages at~~ [sic] the sum of Thirty five dollars in devt being the sum in said promissory note specified, besides the sum of Eighty Seven cents in damages being the interest htereon, making in all the sum of

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Thirty five dollars and eighty seven cents together with his costs and charges in this behalf laid out and expended - during the progress of the trial the said defendant ~~at~~ [sic] makes the following bill of exceptions to the opinion of this coury (here insert it)

I assign the above Judgment
to John B. Clark for value
Received, Lima July 25th 1838
Wm C. Satterlee

William N. Elliott)
)
Daniel Ward)
)
vs) Debt on appeal
)
Daniel Johnson)

25

Now at this time come the parties and the issue being joined between them the sheriff of said County of LaGrange now brings into court the following Jury to try the issue between the parties aforesaid, to wit, Harvey W. Wood William M. Holmes, John Olney, Drusus Nichols David Stephenson Asa Olney Jacob Vandevanter George Stone John Trask Jacob Sidner, Elias Gilbert and Joshua Gale, twelve good and lawful man discreet free holders and householders of the County of LaGrange aforesaid who are elected tried and sworn the truth to speak on the issue joined between the parties and a true verdict give according to the evidence and after hearing the proofs and allegations of the parties and argument of counsel and the charge of the court retire under charge of a sworn officer of this court, to deliverate upon the verdict and after deliberation had return into court under charge of said sworn officer, with the following verdict to wit "We the Jury do find for the plaintiffs ~~and assess their damages at~~ [sic] the sum [of] Eighteen dollars in debt It is therefore considered bv the court now here that the said plaintiffs do recover against the said defendant Daniel Johnson the sum of Eighteen dollars as by the Jury aforesaid ~~assessed~~ [sic]

found besides ~~his~~ Sic] their costs and charges in their behalf laid out and expended -

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April Term 1838

Frederick Hamilton)
)
vs) 21
)
Silas Powell) Trespass
)
Albert Powell)
)
Sheldon Havens [?])

Now at this time comes the said Frederick Hamilton & says he will no further prosecute his said action as to the said Silas Powell - It is therefore considered by the court here that said defendant Silas Powell as to said action go hence acquit thereof without day - And the said plaintiff files his Similiter to the Said defendant Albert Powells first plea in these words (here insert it) and his replication to the said second plea of said defendant Albert Powell in these words (here insert it) and the said defendant files their Similiter to the said plaintiffs replication & day is given

Aaron Clark)
)
vs) 36
)
Drusus Nichols) Debt -

Now at this time come the parties thereupon the said defendant withdraws his demurrer in this behalf

and files his plea of general issue in this behalf in these words (here insert it) and the the [sic] said plaintiff files his similiter in these words (here insert it) And the issue being joined between the parties aforesaid, a Jury is waived and this cause for trial is submitted to the summary decission [sic] of the court and the court having heard the proofs and allegations of the parties and the argument of counsel, and after due deliberation had do find for the plaintiff ~~and assess his damages at~~ [sic] the sum of Four hundred and Ninety two dollars and seventy two cents in debt, being the amount of said promissory note specified besides the sum of ~~Sixty~~ [sic] fifty nine dollars and forty one cents, interest thereon in damages making in all the sum of Five hundred and ~~Sixty one~~ [sic] fifty two dollars and ~~Seventy six~~ [sic] thirteen cents

It is therefore considered by the court now here that the said plaintiff do recover against the said defendant the sum of Four hundred and Ninety two dollars and Seventy two cents in debt the amount in said promissory note specified, together with the sum of Sixty nine dollars and four cents in damages for the detention thereof, making in

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April Term 1838

all the sum of Five hundred and Sixty one dollars and Seventy Six cents, besides his costs and charges in this behalf laid out and expended, and the defendant in mercy &c -

Judg^{t} 552 13

Ins^{t} 19.32

$571.45 paid to J. R. McCord on Esq^{r} Jernigans order - which is fil'd with papers dies dice - Apl. T. 1838 -

Tyler Fleming) 38
)
vs) Trespass -
)
David Cowen)

Now at this time comes the said plaintiff and the Sheriff of said County of LaGrange now brings into open court the following Jury to assess the damages in this behalf to wit, William M. Holmes, John Olney Drusus Nichols Asa Olny Jacob Vandevanter John Trask Jacob Sidner Elias Gilbert John Byrns and Harvy W. Wood, twelve good and lawful men discreet free holders and householders of the County of LaGrange aforesaid who being elected tried and Sworn a true assessment to make of the damages which the said plaintiff hath Sustained in this behalf, and having heard the evidence and the charge of the court, retire under the charge of a sworn officer of this court, to deliberate upon their Verdict, and after deliberaion had return into court under charge of said Sworn officer with the following Verdict to wit, We the Jury assess the plaintiffs damages at Sixty Six dollars and Sixty Six

cents - It is therefore considered by the Court now here that the said plaintiff do have & recover against the Said defendant the sum of Sixty Six dollars and Sixty Six cents in damages as by the Jury aforesaid assessed, besides his costs and charges in this behalf laid out and expended and the defendant in mercy &c

State of Indiana)
)
vs) Indictment for Larceny -
)
Thomas Johnson)
)
Robert Johnson &)
)
William B. Fowler)

Now at this time comes Thomas Johnson prosecuting the pleas of the State of Indiana in this behalf and the said defendant Thomas Johnson together with William M. Holmes and

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Jonathan Woodruff Jr who acknowledges themselves to owe and be indebted to the State of Indiana ~~in the sum of Three hundred dollars each~~ [sic] as follows - the said Thomas Johnson in the sum of three hundred dollars, and the said William M. Holmes and Jonathan Woodruff Jr jointly in the sum of three hundred dollars to be levied of their respective goods and chattles [sic] lands and tenements, if default be made in the following condition which is that the Said defendant

Thomas Johnson shall personally be and appear from day to day before the Judges of the LaGrange Circuit Court during the present term, and to be in court when called to answer unto the State of Indiana on an Indictment for Grand Larceny preferred against himself & one Robert Johnson & W^{m} B. Fowler and ~~not~~ [sic] abide the Judgment of the court and not depart thence without leave of said court -

Jonathan Woodruff Jr	)	42
vs	)	Appeal, Trial of Right of property -
Levi Knott &	)	
Ethan A. Brown	)	

Now at this time come the parties and thereupon the said defendants waives an affidavit in this behalf and the said plaintiff being duly Sworn in open court on motion of said plaintiff this cause is continued - upon payment of cost of the term in sixty days

It is ordered by the court that attachment do issue against Thayer H. Codding, Joel K. Salman to answer unto the State of Indiana for a contempt in not obeying the summons of this court, when thy [sic] were summoned to appear and testify in a suit wherein Jonathan Woodruff Jr was plaintiff and Levi Knott & Ethan A. Brown was defendants, on behalf of the plaintiff - It is therefore ordered by the court that the said Thayer H. Codding and Joel K. Salman be severally required

to enter into personal recognizance in the sum of twenty five dollars each with Security in the like sum for their appearance before the Judges of this court court [sic] on the first day of the next term thereof -

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April Term 1838

Morgan L. Kitchum complainant)
)
vs) In Chancery
)
Jacob Lam Defendant)

Now at this time comes the said complainant by his Solicitor James Eastman Johnson, and it appearing to the satisfaction of the court on reading the affidavit of J. Eastman Johnson an disinterested person now filed that the said defendant is not a resident of the State of Indiana, and on motion of the said J. Eastman Johnson Solicitor for complainant it is ordered that notice of the filing and pendency of the complainants bill of complaint be published for ~~fifty~~ [sic] sixty days in the Fort Wayne Sentinel a public newspaper p[r]inted and published at Fort Wayne in Allen County in said State three ~~days~~ [sic] weeks successively previous to the first day of the next term of this court, ~~And that the~~ [sic] notifying the said defendant ~~be therein required~~ [sic] that he be & appear ~~at said~~ [sic] on the first day of said last mentioned term, and plead answer or demur to said bill, or that said bill and the matters therein contained will be taken pro confession -

there being no newspaper printed or published in said La grange County & said Allen County being the nearest place where a newspaper is published -

Elijah West Complainant,)
)
vs) In Chancery -
)
John Ewell defendant)

(Notice sent to Wayn[e]) by West) Now at this time comes the said plaintiff by James Eastman Johnson his Solicitor and it appearing that the subpoena issued at the last term of this court having been returned non est inventus on motion of J. Eastman Johnson solicitor for complainant, It is ordered that notice of the filing and pendency of said complainants bill be published in the Fort Wayne Sentinel, a newspaper published at Fort Wayne in this state three weeks successively Sixty days previous to the first day of the next term of this court and that the above named defendant be required in said notice to appear at said term and plead answer or demur to said bill or that said bill will be taken pro confesso -

And the court adjourned until tomorrow morning -

Signed Aoril 19

A. D. 1838 C. W. Ewing

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April Term 1838

Thursday morning 9 oclock April 19th 1838 court met pursuant to adjournment same Judges and officers as on yesterday

State of Indiana)
)
vs) Indictment for Grand Larceny -
)
Robert Johnson)
)
Thomas Johnson)
)
William B. Fowler)

Now at this time comes Thomas Johnson Esquir [sic] prosecuting the pleas of the State of Indiana in this behalf and Thomas Johnson one of said defendants also comes and being put upon his trial the Sheriff now brings into court to try the issue Joined between the parties aforesaid to wit Mills Averill Harvey W. Wood John Olney Lemuel Fobes Asa Olney Jacob VanDeventer John Trask Jacob Sidner Elias Gilbert Brice Hays Ira Hays & David Elmore twelve good and lawful men free holders and house holders of the County of Lagrange aforesaid, who being elected tried and Sworn the truth to say upon the issue Joined between the parties aforesaid and a true verdict give according to the evidence, and after hearing the evidence and argument of counsel and charge of the court retire to deliberate thereon under charge of a sworn officer

of this court and after due deliveration had thereon return into court under charge of said ~~char~~ [sic] officer with the following verdict to wit - We the Jury do find the defendant not guilty. It is therefore considered by the court now here that the said defendant Thomas Johnson as to said indictment and offence [sic] go hence acquit thereof without day -

The Grand Jury now comes into court and return sundry bills of indictment returned by them as true bills and endorsed by their foreman as such also a report of the condition of the County Jail and having no further business before them are by the court discharged -

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April Term 1838

Solomon Griswold) 21
)
vs) Trespass on the case
)
Joshua Weeks)

Personally appeared in open court Edmund Littlefield and acknowledges himself replevin bail and Security for the said defendant Joshua Weeks for the payment of a Judgment of One thousand and Eighty six dollars rendered against the Said Joshua Weeks defendant on the 17th day of April 1838 at being the Second Judicial day of the present term of this court, in favour of the said plaintiff Soloman Griswold, together with the costs thereon

accrued and accruing and to accrue

William C. Satterlee) 24 -
)
vs) debt on appeal
)
John B. Clark)

Now at this time comes Personally into open court Jonathan Woodruff Jr and acknowledges himself replevin bail and Security for the said defendant John B. Clark for the payment of a Judgment of Thirty five dollars and Eighty Seven cents rindered [sic] against the said John B. Clark defendant on the third day of the present term of this court, in favour of the Said plaintiff William C. Satterlee, together with the costs thereon accrued accruing and to accrue -

State of Indiana) 7
)
vs) Indictment for retailing
)
Francis Rhodes)

Now at this time comes into open Court Peter Miller and acknowledges himself replevin bail and Security for the said defendant Francis Rhodes for the payment of the said fine and costs accrued accruing and to accrue within three month s from the rendition of the said Judgment

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April Term 1838

John Tuwillougher)
)
vs) Trespass.
)
James Campbell)
)
John Benham)
)
William Hunt)

Now come the parties & thereupon issue being Joined a Jury is waived and this cause is Submitted to the Summary ~~discretion~~ [sic] decission [sic] of the court, ~~& thereupon~~ [sic] & the Said plaintiff now saith he will no farther prosecute his Said action as to the Said James Campbell & it is therefore considered by the court here that Said defendant James Campbell as to Said action go hence acquit thereof without day, & it is further considered by the court that the said defendant James Campbell do recover of the said plaintiff his costs & charges in this behalf laid out & expended & thereupon the evidence being heard & all & singular the premises being seen ~~by the court here fully understood~~ [sic] and due deliberation being thereupon had, it is considered by the court here that said defendant John Benham is guilty & said William Hunt not guilty, & thereupon the court assess the said plaintiff's damages at five dollars - It is therefore considered by the court here that the Said plaintiff recover of said defendant John Benham the Sum of five dollars in damages, as above assessed together with his costs & charged in this behalf laid out and expended & the

said defendant John Benham in mercy &c - & it is further considered by the court here that Said defendant William Hunt as to said action go hence acquit thereof without day - and it is further considered by the court that the said defendant William Hunt do recover of the said plaintiff his costs & charges, in this behalf laid out & expended.

State of Indiana) 3
)
vs) Indictment for Gaming -
)
Isaac Buckly) Now at this time comes into open court Peter Miller and acknowledges himself replevien [sic] vail and Security for the said defendant Isaac Buckly for the payment of the said fine and costs, accrued accruing and to accrue within three monts [sic] from the rendition of the said Judgment -

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April Term 1838

Luke Hammond)
)
vs)
)
Alamson Hammond)
)
Almon Hammond heirs)
)
at Law of Daniel Hammond deceased) Petition for the Conveyance of real estate in the LaGrange Circuit Court ~~April Term~~ [sic] October Term 1837

To the Honorable the Said Circuit Court of October Term 1837 -

The undersigned Commissioner William S. Prentiss ap-

pointed at the October term 1837 of said Court to prepare & execute a deed conveying to Said petitioner the interest of said heirs in and to the Said piece of land in Said petitioners petition specified agreeably to the terms of said appointment & order in that behalf exhibits here before said Court a certain title bond executed by said Daniel Hammond in his life time and particularly described in said petition, marked "A", respectfully reports that in obedience to Said appointment he has prepared & executed Said deed of conveyance assuring & conveying to Said petitioner all the right, title and interest of said heirs in & to Said piece of land, which said deed he produces here in ~~open~~ [sic] court to be delivered to Said petitioner as this Honorable Court may direct -

(Signed) W^{m} S. Prentiss"

And thereupon the Said William S. Prentiss produces here in open court the following deed of conveyance of said land by him executed to the Said Luke Hammond -

Know all men by these presents that I William S. Prentiss Commissioner appointed by the Honorable the Judges of the LaGrange Circuit Court at it's [sic] October term A. D. 1837 to pre-

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April Term 1838

pare & execute a deed conveying to Luke Hammond of LaGrange County all the right title and interest of Alanson Hammond

and Almon Hammond infant heirs at Law of Daniel Hammond late of said County deceased of in and to the South half of theEast half of the North East quarter of section number Seventeen Township Number Thirty Seven North, Range number Eleven East containing forty acres entered at Ft. Wayne Land district Indiana & situated in LaGrange County in the State of Indiana, by virtue of Said appointment and in consideration of the premises have bargained Sold released and conveyed and do by these presents bargain Sell release and convey to Said Luke Hammond his heirs and assigns forever all the right, title & ~~and~~ [sic] interest of said Alanson Hammond & Almon Hammond the Said heirs of the Said Daniel Hammond deceased of in and to the Said tract of land above mentioned & described - To have and to hold the Same ~~to the~~ [sic] with the appurtenances to the Said Luke Hammond his heirs and assigns forever in as full and ample a manner as I the Said William S. Prentiss Commissioner as aforesaid might or could convey the Same

In testimony whereof I the Said William S. Prentiss Commissioner as aforesaid have hereunto Set my hand and seal this day of April 1838

Signed Sealed and delivered) W^{m} S. Prentis §LS§
in presence of)
J. B. Howe)
O. O. Ward)

And thereupon the Said Commissioner William S. Prentiss now in open court acknowledges that

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he executed & prepared & signed Sealed the said deed of conveyance in conformity with the Order of this Court at it's [sic] last October term 1837 for the uses & purposes therein named & expressed & thereupon the Court now here approve of said deed of conveyance in all things & order the Same to be entered at full length upon the order book of this court, which is done and the court further order that the Clerk of this Court Certify on the back of said deed of conveyance the foregoing acknowledgment and approval and deliver the Same to the Said ~~Daniel~~ [sic] Luke Hammond the said ~~complainant~~ [sic] petitioner all which is by the Court here ordered and decreed - And the Court further order that Said bond referred to in Said Commissioner's report & in Said petition, be Spread at full length in like manner upon the order book of said Court - Which said bond is in these words to wit -

Know all men by these presents that I Daniel Hammond of the County of LaGrange and State of Indiana am held and firmly bound unto Luke Hammond of the Same place in the penal Sum of One hundred dollars well and truly to be paid in witness whereof I bind myself my heirs executors administrators firmly by these presents signed with my hand and

Sealed with my Seal this fourth day of February A. D. 1835

The Condition of the above obligation is Such whereas the above named Luke Hammond has given to the above found Daniel Hammond a note of hand for the amount of fifty Dollars payable on the first day of August next for the following tract of land Viz the South half off of the East half of the North East quarter of Section N^{O} Seventeen Township N^{O} Thirty Seven North of Range N^{O} Eleven East Containing forty acres Entered at Fort Wayne land district

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Indiana Now if the above bound Daniel Hammond Shall well and truly Execute a good and and [sic] Sufficient warranty deed to the above named Luke Hammond for the above described tract of land at the time said note becomes due and paid by the Said Luke Hammond then this obligation to be void otherwise to be and remain in full force and virtue as witness my hand and Seal the day and year first above written, Signed Sealed and delivered in the presence of

Joseph Lomax Daniel Hammond §LS§

LaGrange August the 11th 1836. This my [sic] certify that U Polly M. Hammond widdow [sic] of Daniel Hammond Dec.^{d} doth relinquish my right of dower in the above described Land and as [sic] is willing that court make said Luke Hammond a deed in witness whereof I Set my hand and Seal

Attest Polly M. Hammond §LS§

Theda Norton)
)
George Donaldson)

Esparta [sic] Robert Wade) Application for the benefit of Naturalization

Now at this time Comes the Said Robert Wade and files the following decleration [sic] of his intention to become a citizen of the United States of America which decleration is in these words following, to wit,

State of Indiana) LaGrange Circuit Court April
)
LaGrange County) Term 1838

Robert Wade an alian [sic] makes this his decleration of his intentian [sic] of becoming a citizen of the United States and thus reports, That he is in the twenty ninth year of his age - of fair complexian [sic], hazel eyes brown hair and about five feet five inches high, was born at Morton in the County of Yorkshire in England that he emigrated to these United States and landed at the city of New York about the 29th of April A. D. 1830, and that he has remained in the United States ever Since and have lived in the ~~United~~ [sic] Said State of Indiana, for the four years last past that it is now and ever has been ever since he emigrated to the United States

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his bona fied [sic] intentian [sic] of becoming a citizen

thereof and to abjure and remounce all allegiance and fidelity to all and every foreign prince power King or potentate or Soverignty whatsoever and more particulary to Victoria Princess of the the [sic] Kingdom of Great Brittian [sic] whose subject he lately has been and further he Saith not

Sworn to and Subscribed Robert Wade
in open court this 18th day
of April A. D. 1838

J. T. Hobbs Clerk

R. H. Fury Dep Clk

And the court adjourned untill [sic] tomorrow morning 9 oclock

Signed April 20th 1838

C. W. Ewing

Tuesday Morning 9 Oclock April 20th 1838
Court met pu[r]suant to adjournment Same Judges and officers of the court as on yesterday

Exparte)
)
Thomas Lazenby) On Application for the benefit of Naturalization Laws of the United States

Thomas Lazenby an Alien resident of Lagrange County now in Open Court on oath makes the following declaration and report of himself to wit that he is about Thirty five years of age fair complexion, hazel eyes, brown hair

about Ten and one half inches [sic!] high, was born at Bobwitte in the county of Yorkshire in the kingdom of Great Brittain [sic] that he emigrated to the United States and landed in the city of New York on the first day of June A. D. 1831 and has remained in the united [sic] States ever Since and been in this State ever Since the month of June 1837

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April Term 1838

that it was and has been his bona fide intention to become a citizen of the united [States] and of remouncing and abjuring forever all allegiance and fidelity tl all and every foreign prince potentate State or Sovereignty whatever, and more particularly to Victoria Queen of the united Kingdoms of Great Brittain & Ireland whose Subject he lately was

Exparte)
)
William Stead) On Application for benefit of the Laws of Naturalization

Now at this time appeared in Open Court William Stead and it appearing to the Satisfaction of the court upon the certificate of the clerk of this court that the said William Stead has taken the preparatory oath as required by Law & it appearing further to the Satisfaction of the court upon the Oath of Joshua T. Hobbs and Samuel G. Burnsides Citizens of the united States that the said William

Stead has resided five years within the united [sic] States and one year next perceeding [sic] this time in the State of Indiana and that he is a man of good moral character and that he has demeaned himself well towards the instutions [sic] and Laws of the United States Whereupon the said William Stead is now duly Sworn to suport [sic] the constitution of the United States and the constitution of the State of Indiana and that he doth bona fidely abjure and forever renounce all allegiance and fidelity to every foreign prince potentate State or Sovereignty whatever particularly to Queen Victoria Queen of the

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April Term 1838

United Kingdoms of Great Brittain [sic] and Ireland And the said William Stead is now admitted to all the binefits [sic] and privileges of [sic] appertaining to Citizens of the United States of America

Exparta [sic])
)
Thomas Burnell) On application for benefit of the law of Naturalization

Now at this time appeared in open court Thomas Burnell and it appearing to the Satisfactian [sic] of the Court upon the Certificate of the Clerk of this court that the said Thomas Burnell has taken the preparitory [sic] oath as required by law which certificate of said Clerk & report of himself is in these words (here insert it) And it appear-

ing further to the Satisfactian of the Court upon the oath of Joshua T. Hobbs and Samuel G. Burnsides citizens of the United States that the said Thomas Burnell has resided five years within the united States and one year next preceeding [sic] this time in the State of Indiana, and that he is a man of good Moral Character and that he has demeaned himself well towards the instutians [sic] and laws of the United States, whereupon the said Thomas Burnell is now duly Sworn to Support the Constitutian [sic] of the United States and the Constitutian of the State of Indiana and that he doth bona, fidely, [sic] abjure and forever renounce all alliegiance [sic] and fidilety [sic] to every foreign prince potentate State or Sovereignty whatever particularly to Queen Victoria Queen of the United Kingdon [sic] of Great Brittain [sic] and Ireland. And the Said ~~William-Stead~~ [sic] Thomas Burnell is now admitted to all the benefits and previleges [sic] appertaining to Citizens of the United States of America -

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Exparta [sic])
)
Samuel Burnell) On application for benefit of the
)
) law of Naturalization -

Now at this time appeared in Open Court

Samuel Burnell and it appearing to the Satisfactian [sic] of the Court upon the Certificate of the Clerk of this Court that the Said Samuel Burnell has taken the preparitory [sic] oath as required by law which certificate of said Clerk & report of himself is in these words (here insert it) and it appearing further to the Satisfaction of the court upon the Oath of Joshua T. Hobbs and Samuel G. Burnsides Citizens of the United States that the Said Samuel Burnell has resided five years within the United States and one year next preceeding [sic] this time in the State of Indiana, and that he is a man of good morral [sic] character and that he has demeaned himself well towards the instutians [sic] and laws of the United States, whereupon the Said Samuel Burnell is now duly Sworn to Support the Constitutian [sic] of the United States and the Constitution of the State of Indiana, and that he doth bona fidely abjure and forever renounce all alleigiance [sic] and fidelity to every foreign prince potentate State or Sovereignty whatever particularly to Queen Victoria Queen of the United Kingdom of Great Brittain [sic] and Ireland. And the Said Samuel Burnell is now admitted to all the benefits and privileges appertaining to Citizens of the United States of America -

John Tuwillougher) 32
)
vs) Trespass -
)
John Benham)

Now at this time comes personally into open ourt James Campbell and acknowledges himself replevin bail and Security for the said defendant John Benham for the payment of a Judgment of five dollars rendered against the said John Benham defendant on the fourth Judicial day of the present term of this court, in favour of the said plaintiff, together with the costs thereon accrued accruing and to accrue

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April Term A. D. 1838

George Palmer)
)
vs) 3 -
)
Jeremiah Case &)
)
Nathaniel O. Archer)

Trespass on the Case

Now at this time comes the parties and the said defendants by Colerick his Counsel and by leave of the court withdraws his appearance in this behalf and the plea heretofore filed in this behalf and the Said defendants being three times solemnly called comes not, but herein makes default whereby the Said plaintiffs actian [sic] remains unanswered and undefended and it appearing to the court that the writ in this cause had been Served on said defendant ten days previous to the first day of this term as shewn by said writ and the sheriffs return thereon which writ and return are in these words and figures ~~following~~

(here insert the writ and return) and it appearing that the decleration [sic] in this behalf had ben [sic] filed ten days before the first day of this term - It is therefore considered by the court that the Said plaintiff do recover of the Said defendants the Sum of ~~Eleven-hundred-dollars~~ [sic] four hundred and forty Seven dollars and Twenty cents in damages besides his costs and charges in this behalf laid out and expended -

William S. Prentis et al)
)
vs) Appeal from the board of
)
Benjamin Jones et al) County Commissioners

Now at this time come the parties and on Motion of the defendants Attorney this cause is dismissed at the said plaintiff William S. Prentiss ~~own~~ [sic] costs It is therefore Considered by the court now here that the Said defendants recover of the said plaintiff William S. Prentiss their costs and charges in this gehalf laid out and expended -

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April Term 1838

Jonathan Woodruff Jr)
)
vs) Assumpsit
)
Asa P. Adams)

Now at this time comes the parties by Ward [?]

Johnson his counsel thereupon the Said ~~plaintiff~~ [sic] defendant by leave of the court withdraws ~~their~~ [sic] his ~~Seeond~~ [sic] appearance & pleading and ~~his~~ [sic] appearance in this behalf and the said defendant being three times solemnly called comes not but herein makes default, whereby the plaintiffs action remains unanswered and undefended, and it appearing to the court that the writ in this cause had been Served on Said defendant ten days previojs to the first day of this term as Shewn by said writ and the Sheriffs return thereon wich [sic] writ and return are in these words (here insert them) It is therefore Considered by the court now here that the Said plaintiff Jonathan Woodruff Jr do recover of the said defendant Asa P. Adams his damages in this behalf laid out and expended. But because the court here is not yet advised of the damages which the said plaintiff hath sustained in the premises It is ordered that a writ of enquiry do issue directed to the Sheriff of Said County returnable instanter to assess the damages aforesaid - And Thereupon the Sheriff of the County of LaGrange rings into court the the [sic] following Jury to wit, Mills Averill, John Olny Lemuel Fobes, David Stephenson Asa Olny Jacob Vandevanter John Trask Jacob Sidner Elias Gilbert, Merrick E. Mason Samuel A. Howard and Robert Hamilton twelve tood and lawful men discreet free holders and householders of the County of LaGrange aforesaid who

being elected tried and Sworn the truth to say and a true assessment make of the damages which the said plaintiff ~~and a true verdict give according to the evidence~~ [sic] hath sustained in this behalf and a true verdict give according to the evidence, and having heard the evidence and the charge of the court, retire under charge of a sworn officer of this court to deliberate upon their Verdict, and after deliberation had return into court under charge of said sworn officer with the following

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Verdict we the Jury do find for the plaintiff and assess his damages at the Sum of One hundred and Seventy one dollars and Sixty five censts [sic]. It is therefore Considered by the court now here that the said plaintiff do recover of and against the said defendant the Sum of One hundred and Seventy one dollars and Sixty five cents as by the Jury aforesaid assessed, together with his costs and charges in this behalf laid out and expended -

Julia Whitaker administratix)
)
of the Estate of James Whitaker dec)
)
VS) debt
)
William T. Codding)

Now at this time come the parties and thereupon the court having herd [sic] the argument of counsel upon the demurrur [sic] aforesaid and having suf-

ficiently advised of and concerning the premises are of opinion that the matters and things in the said defendants plea above pleaded in this behalf are not sufficient in law to bar or preclude the said plaintiff from having her action aforesaid against the said defendant. It is therefore considered by the court that the said plaintiff do recover against the said defendant the sum of eighteen hundred and fifty four dollars and Sixty cents, in debt the balance due on said promissory notes Specified together with the sum of four hundred and thirteen dollars and thirty four cents interest thereon in damages for the detention thereof making in all the sum of Twenty two hundred and Sixty Seven dollars and ninety four cents besides his [sic] costs and charges in this behalf laid out and expended and the defendant in mercy &c.

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April Term 1838

Albert Powell)
)
vs) 19
)
William P. Bromly) Trespass on the Case

Now at this time come the parties and the issue being joined between them by agreement of the parties a Jury is waived and this cause for trial is Submitted to the Summary decission [sic] of the court And the court having heard the evidence and the argument of Counsel do

find for the Said plaintiff and assess his damages at the Sum of One hundred and fifty five dollars and Seventy two cents. It is therefore Considered by the Court now here that the Said plaintiff do have and recover of the Said defendant the Sum of One hundred and fifty five dollars and Seventy two cents as above assessed together with his costs and charges in this behalf laid out and expended -

I assign the above Judgment to John B. Howe entered[?] Lima 10th June 1838 without recourse to me Albert Powell

Albert Powell	)	27 -
	)	
vs	)	Scire facias on transcript of
	)	
Jeremiah Case	)	Justice of the Peace to bind
	)	
Nathaniel O. Archer	)	real estate

Now at this time comes the plaintiff plaintiff [sic] and the said defendants being three times solemnly called comes not but herein makes default whereby the said plaintiffs action remains unanswered & undefended and it appearing to the Satisfaction of the court that on the third day of Februay [sic] in the year 1838 said transcript was filed in the office of the Clerk of this court by which transcript it appears that on the first day of Februay [sic] 1837 the Said plaintiff obtained a Judg-

ment against the Said defendant before Samuel A. Howard a Justice of the Peace of LaGrange County for the Sum of One hundred dollars in debt And four dollars and thirty three cents, damages making in all the sum of One hundred and four dollars and thirty three cents besides the sum of One dollor and ten and three fourth cents costs. And it also appearing to the court that one writ of Scire facias had been issued against

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April Term 1838

the said defendants in this behalf to Shew cause why execution should not issue be awarded against them which writ is returned by the Sheriff Served on the Said defendants which writ and the return thereon are in the words and figures to wit (here insert the writ and return) and it further appearing to the court by the certificate of said [ ] that execution had been issued against the goods or chattles [sic] found the goods and chattles [sic] of said defendants and returned by the proper officer It is therefore ordered by the court that the said Albert Powell have execution against the said defendants Jeremiah Case and Nathaniel O. Archer for the Sum in said Judgment and Scire facias, Specified and that he recover against the said defendants his costs and charges in this behalf laid out and expended

Albert Powell) 28
)
vs) Scire facias on transcript of
)
Jeremiah Case) Justice of the Peace to bind
)
Nathaniel O. Archer) real estate

Now at this time comes the plaintiff and the said defendants being three times Solemnly called comes not but herein makes default, whereby the said plaintiffs action remains unanswered and undefended and it appearing to the satisfaction of the court that on third day of February in the year 1838 Said transcript was filed in the office of the Clerk of this court by which transcript it appears that on the first day of February 1838 the said plaintiff obtained a Judgment against the said defendants before Samuel A. Howard a Justice of the peace of LaGrange County for the sum of one hundred dollars in debt and four dollars and thirty three cents in damages making in all the sum of One hundred and four dollars and thirty three cents besides the sum of One dollar and ten and three fourth cents costs, and it also appearing to the court that one writ of Scire facias have been issued against the said defendants in this behalf to shew cause why execution should not be awarded against them which writ appears to be served ten days previous to the first day of the present term of this court, which writ and the return thereon are in these words (here insert the writ & return)

April Term 1838

It is therefore ordered by the Court that the Said Albert Powell have execution against the said defendants Jeremiah Case and Nathaniel O. Archer for the Sum in said Judgment and Scire facias Specified and that he recover against the Said defendants his costs and charges in this behalf laid out and expended -

Albert Powell	)	29
	)	
vs	)	Scire facias on transcript of
	)	
Jeremiah Case	)	Justice of the Peace to bind
	)	
Nathaniel O. Archer	)	real estate

Now at this time comes the said plaintiff and the said defendants being three times solemnly called comes not but herein makes default whereby the said plaintiffs action remains unanswered and undefended And it appearing to the satisfaction of the Court that ~~that~~ [sic] on the third day of February in the year 1838, Said transcript was filed in the office of the Clerk of this Court by which transcript it appears that on the first day of February 1838, the Said plaintiff obtained a Judgment against the said defendants before Samuel A. Howard a Justice of the peace of LaGrange County for the Sum of Eighty nine dollars and Eighty four cents in debt ~~and four dollars~~ [sic] besides the Sum of One dollar and ten and three fourth cents costs -

And it also appearing to the court that one writ of Scire facias hav[e] been issued against the said defendants in this behalf to shew cause why execution should not be awarded against them which writ appears to have been served ten days previous to the first day of the present term of this court, as shewn by said writ and the sheriffs return thereon, which writ and return are in these words (here insert them) It is therefore ordered by the court that the said Albert Powell have Execution against the said defendants

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April Term 1838 -

Jeremiah Case and Nathaniel O. Archer for the sum in said Judgment and Scire facias specified and that he recover against the said defendants his Costs and Charges in this behalf laid out and expended -

Albert Powell	)	30
	)	
vs	)	Scire facias on transcript of
	)	
Jeremiah Case	)	Justice of the Peace to bind
	)	
Nathaniel O. Archer	)	real Estate

Now at this time comes the said plaintiff and the said defendants being three times Solemnly called cones not but herein makes default whereby the said plaintiffs Action remains unanswered and undefended. And it appearing to the Satisfaction of the Court that on the third day of February in the year 1838, said transcript was filed in the office of the Clerk of this court by which transcript it

appears that on the first day of February in the year 1838 the Said plaintiff obtained a Judgment against the Said defendants before Samuel A. Howard a Justice of the peace of LaGrange County for the sum of One hundred dollars in debt and four dollars and thirty three cents in damages making in all the sum of One hundred and four dollars and thirty three cents besides the Sum of One dollar ten and three fourth cents costs. And it also appearing to the court that one writ of Scire facias hav[e] veen issued against the Said defendants in this behalf to shew cause why execution should not be awarded against them, ~~which writ~~ [sic] and it appearing to the court that the writ in this cause had been served ten days previous to the first day of this term, as shewn by said writ and the sheriffs return thereon which writ and return are in these words (here insert them) It is therefore ~~considered~~ [sic] ordered by the court that the

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April Term 1838 -

Said plaintiff Albert Powell have execution against the Said defendants Jeremiah Case and Nathaniel O. Archer for the sum in said Judgment and Scire facias Specified, and that he recover against the said defendants his costs and charges in this behalf laid out and Expended -

Julia Whitaker administratrix)
)
of the Estate of James Whitaker de[d])
)
vs) Trespass on the Case
)
George F. Whitaker)

Now at this time came the the [sic] parties and by their agreement this cause is dismissed, each party to pay one half of the costs which the said parties are respectively ordered to pay in Sixty days

Thomas P. Curtis) 40
)
vs) Trespass on the Case
)
Joshua Weeks)

Now at this time came the parties and thereupon the said defendant files his demurrer to the said plaintiffs decleration [sic] in these word (here insert it) and the said plaintiff files his joinder in these words (here insert it) and thereupon the court having ~~heard~~ [sic] sufficiently advised upon the premises, are of opinion that the said demurrer be overruled, and thereupon the said defendant withd[r]aws his demurrer and asks and obtains leav[e] to plead by the next calling of this cause and day is given

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State of Indiana for)
)
the use of Congressional)

Township N^{O} 37 north of)
)
Range 10 East)
)
vs) Trespass
)
Otis Newton)

Now at this time comes the parties and the court having herd [sic] the argument of counsel on the demurrur [sic] aforesaid and having Sufficiently advised of and concerning the premises are of Opinion that the Matters and things in the said plaintiffs declaration as therein pleaded and Set forth are not sufficient in Law, for the said plaintiff to have and maintain his afforesaid [sic] action thereof against the Said defendant. It is therefore considered by the court that the said plaintiff take nothing by his said writ and that the said defendant as to said action he go hence acquit thereof without day. ~~And that the~~ [sic]

p.
257 [Blank]

p. April Term 1838
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Thomas P. Curtis) 45
)
vs) Trespass
)
Joshua Weeks)
)
Edmund Littlefield)
)
David Stephenson)

Now at this time comes the parties and thereupon the said plaintiff files his joinders to the said defendants demurrer in this behalf in these words (here insert it) And ~~thereupon~~ [sic] the court having heard argument & sufficiently advised upon said premises are of opinion said first count of said declaration and such matters and things therein contained are sufficient for said plaintiff to proceed with his action in this behalf & that said demurrer to the first count in said plaintiffs declaration be overruled, and that the said demurrer be sustained to the Second count in the said plaintiffs decleration [sic], ~~and by agreement of the parties this cause is continued~~ & thereupon said ~~defendant~~ [sic] plaintiff withdraws ~~their~~ [sic] his joinder on demurrer to said second count & now proves [?] his said second count & leave is given him to amend his said declaration which is donw & said amended declaration [is] now filed and this cause is continued at the cost of said plaintiff which cost he is ordered to pay in 60 days

Samuel R. Jennin[g]s &	)	14
	)	
Roswell W. Chany	)	
	)	
vs	)	Trespass on the Case
	)	
James Pierce	)	

Now at this time come the parties and thereupon on motion of the said defendant, the the [sic] defendant

is discharged on common bail and the recognizance of Special Bail is Set aside and the said Special Bail is now discharged from all liability in this behalf thereupon the said defendant files his two pleas to the said plaintiffs decleration [sic] in these words (here insert it) and the said plaintiffs mooves [sic] to rijict [sic] the said defendants ~~twe~~ [sic] Second pleas [sic] which motion is by the court overruled and therefore the said plaintiffs file their replication to the said second plea in these words (here insert it) to which the defendant adds [?] his similiter and the plaintiff doth now then states to the defendant his common plea which is in these words (insert) [?]
And the said defendants moove [sic] for a continuance upon affidavit upon affidavit [sic] filed which is in these words (here insert the affidavit) and the court having advised upon the premises overrule the said defendants motion thereupon the issue being joined berween the parties the Sheriff of the County of LaGrange now brings into court the following Jury, to wit, Mills Averill John Olney Lemuel Fobes
P. 239 David Stephenson Asa Olny // Jacob Vandevanter George Stone, John Trask Jacob Sidner Elias Gilbert, Joshua Gale, and Daniel Harding twelve good and lawful men discreet free holders and house holders of the County of LaGrange aforesaid who being elected tried and sworn the truth to Say upon the issue Joined between the parties aforesaid and a true

Verdict give according to the evidence and after hearing the evidence and argument of counsel and charge of the court, retire to deliverate upon their Verdict under charge of a Sworn officer of this court, and after deliberation had return into court under charge of said sworn officer with the following Verdict towit, we the Jury do find for the plaintiffs and assess their damages at Six hundred dollars. It is therefore considered by the court now here that the said plaintiffs do recover of and against the said defendant James Pierce the sum of Six hundred dollars as by the Jury above assessed besides their costs and charges in this behalf laid out and expended -

And the Court adjourned until 8 Oclock tomorrow morning

Signed April

the ~~21st~~ [sic] 21st 1838. C. W. Ewing

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April Term 1838

Saturday Morning 9 oclock April 21st 1838 Court met persuant [sic] to adjournment Same Judges and Officers of the court as on yesterday

George F. Whitaker)
)
vs) Assumpsit
)
Than H. Codding)

Now at this time comes [sic] the parties and the issue being Joined between them here comes a Jury

o try the issue Jointed as aforesaid to wit Francis F. Jewett Ethan E. Brown John C. Howard Nathaniel Callehan John King Willing T. Howard Solomon Harding Chancey K. Shepherd - Griffin Smith James F. Underwood John C. Kinney & Ira Hays - twelve good and lawful men discreet freeholders and house holders of the County of Lagrange afore said, who are elected tried and Sworn the truth to say upon the issue joined aforesaid and a true verdict give according to the evidence and after hearing the evidence and th e argument of counsel & charge of the court retire under charge of a Sworn officer of this court and after deliberation had thereon return into Court under charge of said officer whti the following verdict to wit "We the Jury do find for the defendant" It is therefore considered by the court that the said defendant do recover against the said plaintiff his costs and charges in this behalf laid out and expend. [sic] And Thereupon the said plaintiff on affidavit filed noves the court to grant a new trial which motion the court sustains. It is therefore considered by the court that the verdict and finding of the Jury in this behalf be sit [sic] aside and a venire de novo awarded returnable

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April Term 1838

at the next Term of this court and thereupon the Said plaintiff asks and obtains leave to amend his declaration in this behalf in ninety days and leave is also granted to the de-

fendant to amend his pleadings in this behalf in ninety days - and this cause is continued -

James McConnell)
)
vs) Assumpsit
)
William F. Beavers)

Now at this time comes [sic] the parties and on leave of the court the said plaintiffs now amends and files his declaration in this behalf (here insert it) and thereupon the said defendant now moves the court to continue this cause which is granted by the court ~~upon~~ [sic] at the costs of the plaintiff of the present Term which is ordered to be paid in sixty days.

Isaac Whitaker)
)
vs) on Claim certified from
)
Julia Whitaker admes) Probate Court
)
of James Whitaker decd)

Now comes the parties and by their agreement the order of continuance in this behalf is set aside and this cause dismissed each party to pay half of the cost which is ordered to be paid in sixty days

p. 242 April Term 1838

George F. Whitaker)
)
vs) On Claim filed in and Certified from
)
Julia Whitaker Admr^x) Probate Court
)
of James Whitaker dec^d)

Now come the the [sic] parties and by their agreement the order of continuance in this behalf is set aside and this cause is dismissed ~~at the costs of~~ [sic] each party to pay half of the cost which they are respectively ordered to pay in Sixty days -

Albert Powell)
)
vs) In Chancery
)
Jeremiah Case)
)
Nathaniel O. Archer)
)
Palmer Grannis)

Now at this time comes the complainant by his ~~counsel~~ [sic] Solicitor and on leave granted by the court withdraws his bill and amends the same instanter, and now files his amended bill in these words (here insert it) and a subpoena to Palmer Grannis directed to the Sheriff of this county is awarded and this cause is continued.

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Sarah Paxton)
)
vs) Bill in Chancery for divorce
)
Robert Paxton)

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                                    )
                                    )
                                    )
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Now at this time come the complainant by Howe her Solicitor and on his motion this cause is continued

Robert Dayton admr of George Bulmer	vs	Injunction
Isaac P. Grannis, Horace Hall, William Hanson		

Now at this time comes the complainant and on his motion this cause is continued

~~John~~ [sic] Daniel Tuttle	vs	Bill for Foreclosure
John Bovee		

Now at this time comes the complainant and it appearing to the satisfaction of the court by the return of the Sheriff ~~that~~ [sic] upon the Subpoena in this behalf that the defendant is not found. It is therefore ordered by the court that notice of the pendency of this bill of complaint be given to the said defendant by publication in the Fort Wayne Sentinel a Public Newspaper printed and Published at Fort Wayne in Allen County in said State there being no paper printed in Said county of Lagrange and the Fort Wayne Sentinel being the nearest newspaper to said County of La-

grange three weeks successively at least Sixty days prior to the first day of the next Term of this court to plead answer or demur to said complainants bill of complaint, or the matters and things therein contained will be taken pro confesso -

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April Term 1838

William E. Tillman)
)
vs) Bill in Chancery -
)
Lyman Mudge)

Now at this time comes the ~~plaintiff~~ [sic] complainant and it appearing to the Satisfaction of the Court by the return of the Sheriff upon the Subpoena in this behalf that the defendant is not found, It is therefore ordered by the court that notice of the pendency of this bill of complaint be given to the said defendant by publication in the Fort Wayne Sentinel a public newspaper printed and published at Fort Wayne in Allen County in said State - there being no paper printed in said County of LaGrange, and the Fort Wayne Sentinel being the nearest newspaper to said County of LaGrange, three weeks sucessively [sic] at least Sixty days prior to the first day of the next term of this court to plead answer or demur to the said complainants bill of complaint, or the matters and things therein contained will be taken pro confesso

Frederick Hamilton)
)
vs) Trespass Albert Powell only
)
Albert Powell & mis)
pleaded with)
Sheldon Havens)

Now at this time come the said ~~parties~~ [sic] said Plwell defendant & said plaintiff also comes and the issues being joined as aforesaid thereupon comes the following Jury to try the issue Joined between the parties aforesaid to wit John Olney Lemuel Fobes David Stephenson Asa Olney Jacob VanDeventer George Stone John Trask Jacob Sidener Elias Gilbert Ira Hays James P. Underwood and Peter Miller twelve good and lawful men freeholders and house holders of said county of Lagrange who are elected tried and Sworn the truth to say upon the issue Joined as aforesaid and a true verdict give according to the evidence and af[ter] hearing the evidence and the argument of counsel and charge of the courtretire under charge of a Sworn officer of this court and afrer due deliveration thereon had return into court ~~the~~ [sic] under charge of said officer with the following verdict to wit, We the Jury do find the defendant Albert Powell

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guilty and assess the plaintiffs damage at the Sum of twenty one dollars and ninety four cents. It is therefore considered by the court that the said plaintiff do recover against [sic]

the said defendant Albert Powell the sum of twenty one dollars and ninety four cents in damages as by the Jury assessed together with his costs and charges in this behalf laid out and expended - [sic]

And thereupon Said defendant moves for a new trial in this caus [sic] - & day is given

George F. Whitaker)
)
vs) Bill in Chancery
)
John Spencer)
)
Reuben J. Dawson)
)
Robert Brackenridge &)
)
James McConnell)

Now comes the complainant by John B. Howe his attorney and on his motion an alias Subpoena is awarded directed to the Sheriff of Allen County, returnable on the first day of the next Term of this court. And this cause is continued -

Silvester Langdon)
)
Timothy Andrews)
)
vs) Trespass on the case
)
Jeremiah Case) Comes now ~~Themas~~ [sic] the
)
Nathaniel O. Archer) parties and Palmer Grannis special Bail for said Defendants in the above entitled cause and surrenders to the custody of the sheriff in open court the

said defendants & moves the court to enter an exonereter [sic] upon the recognizance of Spècial Bail in this cause ~~which is~~ [sic] which is done & said ~~Thomas~~ [sic] Palmer Grannis is discharged from all liability upon said recognizance of Special Bail

and thereupon the said plaintiff are ordered to charge said defendants in execution by their bodies within thirty six hours next ensuing after the termination of the present Term of this court & in default thereof the sheriff is ordered to discharge said defendants from his custody upon the sworn declaration [?] aforesaid

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April Term 1838

Ordered that on all Indictments found by the Grand Jury at the present Term Bail be required of the defendants as follows to wit - On Indictments for Forgery in the sum of three hundred dollars - on indictments for Larceny in the sum of three hundred Dollars - on Indictment for passing or uttering counterfeit Bank Bills or Notes - in the sum of three hundred Dollars on Indictments for assault & Battery in the sum of fifty dollars - with security in each case in the like sums -

George Palmer)
)
vs) Trespass on the Case
)
Nathaniel O. Archer)
)
Jeremiah Case)

Now comes the parties and Palmer Grannis Special bail for said defendants in the above entitled cause and surrenders to the custody of the Sheriff in Open Court the said defendants and moves the court to enter an exonereter [sic] ~~whereon~~ [sic] upon the recognizance of Special bail which is granted & thereupon said Special bail is discharged And thereupon the said plaintiff is ordered to charge the said defendants in execution by their bodies within thirty six hours next insuing [sic] after the termination of the present Term of this court and in default thereof the Sheriff is ordered to discharge the Said defendants from his custody upon the Surrender aforesaid

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Sylvester Langdon)
)
Timothy Andrews)
)
vs.) Trespass on the Case
)
Jeremiah Case) Judgment rendered at the Last
)
Nathaniel O. Archer) Term of this court -

Now come the parties and Palmer Grannis Special bail for said defendants in the above entitled cause and

surrenders to the custody of the Sheriff in open court the said defendants and moves the court to enter an exonereter upon the recognizance of Special bail And thereupon the said plaintiff is ordered to charge the said defendants in execution by their bodies within thirty six hours next insuing after the termination of the present Term of this court And in default thereof the Sheriff is ordered to discharge the said defendants from his custody upon the surrender aforesaid

Frederick Hamilton)
)
vs) Trespass ~~on the~~ [sic]
)
Albert Powell)
)
Silas Powell)

Now at this time comes [sic] the parties and thereupon comes into open court Elias B. Smith and acknowledged himself/replevin vail and security for Albert Powell for the payment of a Judgment this day rendered a- [sic]
[sic] gainst him for twenty one dollars and ninety four cents with the costs accrued accruing and to accrue -

p. 248 April Term 1838

Jeremiah Hays)
)
vs) Debt on appeal
)
Metzer ~~Shepherd~~ [sic] Alvord)

Now at this time comes the parties and by their agreement this cause is continued at the said defendants costs of the present Term which Cost he is ordered to pay in sixty days

Thomas B. Curtis)
)
vs) Trespass on the case
)
Joshua Weeks)

Now at this time comes [sic] the parties and the issue being Joined between them here comes a Jury to try the issye Joined between the parties aforesaid to wit Miles Averill Lemuel Fobes, Elias Gilbert Asa Olney Ira Hays Jacob Vandeventer Jacob Sidener Gustavus A. Moore George Stone John Trask John VanGelder & John Olney twelve good and lawful men free holders and house holders of the County of Lagrange aforesaid who are elected tried and Sworn the truth to say upon the issue joined as aforesaid and a true verdict give according to the evidence, and after hearing the evidence and argument of counsel retire under charge of a Sworn officer of this court and after deliveration had return into court under charge of said Sworn officer with the following Verdict we the Jury do find the defendant not guilty. ~~It is therefore considered by the court here that the said defendant do recover of the said plaintiff his costs and charges in this behalf laid out and expended~~ - [sic] And there-

upon the plaintiff moves the court here to Set aside said verdict upon a new trial in Said Cause, which ~~motion~~ [sic] said cause is continued upon Said motion until the next term of this Court -

Samuel Francisco)
)
vs)
)
Daniel Howell)
)
William N. Elliott)

In Chancery

Now at this time comes the Said ~~plaintiff~~ [sic] complainant, the Said defendants being severally three times called come not, but herein make default, & it is thereupon ordered adjudged & decreed by the court here that Said bill of complaint & the matters & ~~therein~~ [sic] things therein contained be taken as confessed - & it is further ordered adjudged & decreed by the court hear [sic], & it appearing satisfactorily to the court that Said several Sums of money & items mentioned in Said bill of complaint Specified with interest thereon as Specified in Said bill of complaint are now due from said defendants to Said complainant - the ~~Said~~ [sic] court here do (further) order adjudge & decree that Said defendants do within ninety days from this date do pay to the Said Samuel Francisco the complainant the Sum of Eighteen hundred dollars being the ~~amount~~

[sic]

[sic]

~~ef~~ [sic] Sum due to the Said complainant by virtue of the two Said promissory notes in Said bill Specified with interest thereon at the rate of six per centum from the twenty Second day of February A. D. Eighteen hundred & thirty seven, but in default thereof ~~that~~ [sic] the Said defendants are to Stand absolutely [sic]

p. 250 April Term 1838 -

debarred & foreclosed of & from an Equity of redemption of in & to the Said ~~motion~~ [sic] North East quarter, & the South East quarter of the North West quarter of section number three, [sic] And the North East quarter ~~ef~~ [sic] & the East half of the North West quarter of Section number Seventeen, all of which are in Township Number Thirty Seven North Range Number Eight East containing in all four hundred & forty acres, being the Said mortgaged premises, & further that in case of such default that the Sheriff of LaGrange County after giving twenty days notice by advertising the Same in three of the most public places in the township where the Said laid is Situated, as well as to advertise the same for three Successive weeks in the ~~La~~ [sic] Ft. Wayne Sentinel a public newspaper printed [&] published at Ft. Wayne in the County of Allen & State of Indiana a paper of general circulation in Said LaGrange county (there being no) [sic] newspaper printed in Said LaGrange County) & the time and place of selling Said land to be according to the form of the Statute in Such Case provided

& that Said land or so much thereof as Shall pay Said debt & costs b[e] sold by Said Sheriff at public outcry at the Court house door of Said County to the highest bidder, to wit the Said price of land above described & that the proceeds thereof after deducting the costs of this Suit & the [sic] costs of sale he do pay over to said complainant Samuel [sic] Francisco in discharge of said sum of Eighteen hundred dollars & the interest thereon if the proceeds Shall amount to So much, & if the proceeds thereof shall

p. 251 - April Term 1838 -

exceed the amount of Said debt & costs of this suit & costs of sale, then Said Sheriff Shall pay the overplus thereof to the Said defendants & it is further ordered adjudged & decreed by the court hear [sic] that Said Complainant do recover of said defendants his costs & charges in and above the prosecution of this Suit expended -

Daniel Tuttle)
)
vs) Bill in Chancery
)
John Bovee)

Now at this time comes the Said Complainant & it appearing to the Satisfaction of the court by the return of the sheriff of the Subpoena heretofore issued in this behalf that said defendant is not found - It is therefore ordered by the court that notice of the pendency of this bill be given to the said defendant by publication in

the Fort Wayne Sentinel a public newspaper printed & published at Fort Wayne in Allen County State of Indiana (there being no newspaper printed & published in ~~said~~ [sic] LaGrange County & the said Fort Wayne Sentinel being the nearest newspaper to Said County of LaGrange three weeks Successively at least ~~th~~ [sic] Sixty days prior to the first day of the next term of this

p. 252 April Term 1838 -

Court to plead answer or demur to the Said Complainant's bill of complaint or the matters & things therein Contained will be taken pro Confesso -

Peter F. Livingston)
)
William A. Livingston)
)
vs) ~~Trespass-on-the~~ [sic] Assumpsit
)
Richard H. Fury)

Now come the parties & the said defendant says he can not gainsay or deny but that he is Justly indebted to Said plaintiffs in the sum of Eight hundred & forty Seven dollars for which he has freely confessed Judgment -
It is therefore considered by the court here that the Said plaintiffs recover of the said defendant the Said Sum of Eight hundred & forty Seven dollars ~~teg~~ [sic] in damages confessed as aforesaid together with their costs & charges - charges [sic] in this behalf laid oyt & expended, & the de-

fendant in mercy &c -

Recd on the above Judgment ninety Seven dollars May 2nd 1838

J. B. Howe pltff's atty -

Recd four hundred & forty four dollars & forty four cents, Decr 5th 1838 31.55

J. B. Howe

The above Judgment is Satisfied except costs (My docket fee being paid)

J. B. Howe

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April Term 1838 -

Jonathan Woodruff Jr)
)
vs) In trespass ~~action~~ [sic]
)
Asa P. Adams) ~~April~~ [sic] action term 1838

Now comes the said plaintiff & it appearing to the court here that a bill of exceptions in this behalf signed but not noted by the ~~Co~~ I [sic] said Court was taken at said term in the progress of the trial of said cause but omitted to be noted on this order Book It is here ordered by the court that the taking filing & answering [?] of said bill of exceptions be entered upon the order book of said court nunc pro tunc which ~~by the~~ [sic] is denied; (which said bill of exceptions is in these words & figures to wit (here insert on ~~words &~~ [sic] said bill)

Samuel Francisco)
)
vs) In Chancery
)
Daniel Howell &)
)
William Eliott)

Comes now the said complainant by How[e] his solicitor and the said defendants although three times called come not, but herein make default - and it appearing to the court that the writ of subpoena in this behalf had been served on said defendants thirty says before the first day of the present Term of this court the said Bill of complaint & the matters therein ~~alle~~ [sic] contained are taken pro confesso against said defendants - And the proff [sic] and allegations of said complainant being heard the court do find that there is due and owing to said complainant by said

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April Term 1838

defendants on the notes specified & mentioned in said Bill & Mortgage the Sum of Eighteen hundred dollars as principal and one hundred and twenty six dollars and _____ cents the interest thereon making together the Sum of ~~On~~ [sic] ~~Eighteeen-hundred-and~~ [ic] Nineteen hundred & twenty six dollars for the payment & Security of which said premises in Said Bill & Mortgage are liable.

It is therefore ordered adjudged and decreed by the court now hear [sic] that the Said defendants Daniel Howell and William Elliott do pay to the said complainant Samuel

Francisco the sum of Nineteen Hundred & twenty six dollars so found to be due and owing as aforesaid with the costs of said plaintiff in this behalf paid & expended within ninety days from the day of the date of this ~~Judgment~~ [sic] decree and that in Default of such payment that and [sic] Execution do thereupon forthwith issue upon this decree to be levied upon said North East quarter & the South East quarter of the North West quarter of section number three & the North East quarter & the East half of the North West quarter of ection number seventeen, in Township Number thirty seven North range number eight East situat[e] lying & being in the said County of Lagrange State of Indiana being the Lands mentioned in said

p. 255

April Term 1838

Bill of Complaint & Mortgage and that the same be Sold & the proceeds of Such Sale applied to the payment of Said Sum of Nineteen hundred and twenty six dollars & costs as aforesaid in the same manner that Lands are Sold on executions issued upon Judgments at Law - And that from and after Such Sale (if any be made) all equity of Redemption of said defendants of in & to Said Mortgage as premises & every part thereof be & remain forever Barred & foreclozed [sic].

All pleas plaints and other matters not otherwise disposed of are continued -

Ordered that James B. Cole be allowed four dollars for four days services as bailiff to the grand Jury at this Term and that Merick E. Mason be allowdd two dollars - that James Ellis be allowed four dollars and Pa [sic] Farmer [Farnier?] be allowdd two dollars for their services as bailiffs at this Term of this court -

Ordered that it be certified to the Board of Commissioners that Luther Newton Esqr and Ephraim Ceeley Esqrserved Six days each as associate Judges of this court at the present Term

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April Term 1838

Samuel R. Jennings &)
)
Roswell Cherney)
)
vs) Rule to Shew Cause &c
)
Peter L. Mason)

Come now the parteis [sic] & cause having been shewn the said defendant is discharged from said Rule

Andrew Allison)
)
vs) ~~Motion to Bring up an appeal~~ [sic] Debt
)
Moses Chapman)

Now comes the said defendant and on affidavit now files [sic] moves the court for leave to take an appeal in the above entitled cause from the Judgment of Otis Shep-

herd a a [sic] Justice of the peace of Said Lagrange County - which motion the court sustain & ordered and [sic] appeal to be taken & that said Justice certify a full true & perfect Transcript of the Judgment & proceedings had before him w [sic] this court as in other cases of Appeal from the Judgments of Justices of the peace upon said defendants filing an appeal Bond with security to the approval & approval [sic] of said Justice as in other cases of appeal within thirty days from this day -

The court now affix and establish as the jail limits of the jail of said County of Lagrange the following that is to say to a line circumscribing an area of Six hundred yards in all directions

p. 257 from the center of the present Jail of said county.

And Court adjourned untill [sic] Court in Course -

Signed April the 21st A. D. 1838.

C. W. Ewing

State of Indiana)
) SS
LaGrange County)

N° 46 - Personally aooeared before me Joshua T. Hobbs Clerk of the LaGrange Circuit Court Ariel Alward and acknowledged himself replevin bail and Security for Norman Gurnsey for the payment of a Judg-

ment of Eighty three dollars and twenty cents rendered against him in the LaGrange circuit court on the Second day of the April term of said court in the year 1838 in favour of Nathan Merriman with the costs thereon accrued accruing and to accrue in five months from the rendition of the same Ariel Alword

taken and aproved [sic] by)
me this 25th day of April 1838)

J. T. Hobbs Clerk)
By R. H. Fury Dep clk)

p. 258 State of Indiana)
LaGrange County) SS Personally appeared before ~~the~~ [sic] me Joshua T. Hobbs Clerk of the LaGrange Circuit Court John G. Kinny and James Kinny and acknowledged themselves replevin Bail and Security for Richard H. Fury for the payment of a Judgment of Eight hundred and forty Seven dollars rendered against him in the LaGrange circuit court on the Sixth Judicial day of the ~~May~~ [sic] April term of said court it being the 21st day of April A. D. 1838 in favour of Peter F. Livingston and William A. Livingston with the costs thereon accrued accruing and to accrue in in [sic] One hundred & fifty days from the rendition of Said Judgment -

James Kinney
John C. Kinney

taken and aproved [sic] by
me this 2nd day of May 1838
Joshua T. Hobbs clerk
By R. H. Fury Dept clerk

State of Indiana)
) SS
Lagrange County)

Personally appeared before me Joshua T. Hobbs clerk of the lagrange Circuit court James A. F. Nichols and acknowledges himself replevin bail and security for Drusus Nichols for the payment of a Judgment rendered against him in said court at the last April Term thereof in favour of Aaron Clark in an action of debt for the sum of Five hundred and fifty two dollars and thirteen cents with the costs accruing and to accrue thereon

Jas. A. F. Nichols

J. T. Hobbs
Clk

p. 259 Pannels [sic] of Jurors selected by the board of commissioners of Lagrange County Indiana from the Assessment roll, at the May Session 1938 and drawn by the clerk of said county circuit court, in presence of said board of commissioners according to the Statute in such case made and provided to serve as such Jurors at,the next October and April Terms

of said circuit court the said Jurry [sic] being good reputable free holders and householders of said county of Lagrange

Grand Jurors for the October Term 1838.

Jacob Gage, Henry Lockrider Theodore Craft Aaron Thompson Richard A. Ganes Curtis Harding Jonathan Woodruff George Egnew David Smith Joseph K. Salman William Herbert David Jewett James Kinney Jacob Cole Miles Bristol Nelson Earll Samuel West Samuel A. Howard & ~~Samuel Herbert~~ [sic]

Petit Jurors for the October Term 1838.

John Cowen John C. Nobles Alfred Martin James Degroff George Brown Edward Smith George Thompson Thomas Oliver Sidney Cobbs [sic] Ethan A. Brown Jacob Hoagland Jr. Charles R. Selby Jacob Grenoe Almon Bryan Moses J. Hill Joseph Welsh Ivory Crandell Henry Sidener John Lackey Samuel P. Williams Moses N. Hill Norman Gurnsey James Vaughn

Grand Jurors for the April Term 1839

Joshua Gale, Hirace Tuttle David Sockrider James Ellis Daniel Wate Sidney Keith Lorenzo Ingraham Erastus Sturges Jacob D. Groves Orange Patten Nathan Bishop Charles Peck Sylvanus Hatch Tunis Spears Alexander F. Wallis Seely Benham Robert Dayton Philo Taylor and Samuel Parker

Petit Jurors for the April Term 1839

Samuel Berry Abram K. Brown Moses Chapman David K. James Marcena[?] Fox

p. 260 Orsemus Jackway Seth Tucker Lewis Vance George Cooper Robert Greenfield Jr Elijah Pixley Jonathan Stepens Robert Smith Levi Knott Frederick Robbins Asa Flint Elihu Chamberlain Enoch Layton Harvey Olmstead Moses Young Samuel Wescott Oren Howard Robert Hume and John Belote -

J. T. Hobbs Clerk L.C.C.

Albert Powell)
)
vs) Trespass on the case
)
William P. Bromley)

personally appeared before the undersigned clerk of the Lagrange Circuit Court Mathias McNeal and acknowledged himself replevin bail and Security for the said William P. Bromley for the payment of a Judgment of One hundred and fifty five dollars and seventy two cents, with costs of suit accrued accruing & to accrue which Judgment was rendered on the 20th day of April 1838, in said Circuit court

Witness J. T. Hobbs Clk

James Campbell)
)
vs) On Transcript from
)
John Newells) Judgment of Justice
of the peace to bind
Real Estate

Be it remembered that on the 29th day if June 1838 The said plaintiff filed his transcript of a Judgment for the

Sum of eighty eight dollars and twenty Six cents against the said defendant in this court

p. 261 Know all men by these presents that [ ] Simpson Cummings William F. Beavers John Cummings and James Cummings are held and firmly bound unto Richard H. Fury in the sum of four thousand thirty eight dollars the payment of which

David Stevenson)
)
vs) Sci. Fa. on transcript
) from Justice to bind
Nathaniel O. Archer) real estate
Jeremiah Case)

Be it remembered that on the 16th day of July 1838, the plaintiff filed his transcript of a Judgment of a Justice of the peace for one hundred and Six dollars in debt and damages in the above entitled Cause -

Charles R. Selby)
)
vs) Sci. fa
)
Joseph Todd) on Judgment of
Justice of the peace to
hold real estate

Be it remembered that on the 12th day of June 1838 the said plaintiff filed in the office of the clerk of the Lagrange Circuit court the transcript of a Judgment of a Justice of the peace for the Sum of nineteen dollars and Eighty Six cents.

p. 262 Jonathan Woodruff)
)
vs) Sc fa on Transcript from
)
Jeremiah Case &) docket of Justice of the peace
)
Nathaniel O. Archer) to bind real Estate

Be it remembered that on this 5th day of October A. D. 1838 the Said Plantiff [sic] filed in the Clerks office of the LaGrange Circuit Court a transcript of a Judgment against Said defendants for the Sum of One hundred and Six dollars and Twenty four Cents Togeather [sic] with the damages in the above entitled Cause

Richard H. Fury)
)
vs) Trespass on the case
)
Simpson Cummins) on promises
)
John Cummins)
)
William F. Beavers)

State of Indiana)
) SS Be it remembered that on the first
LaGrange County)
day of June 1838 Peter L. Mason Sheriff of LaGrange County ~~filed~~ [sic] returned into the Clerk's office of the LaGrange Circuit Court a certain replevin bail bond executed by Simpson Cummins John Cummins William F. Beavers under the description & name of "W. F. Beavers " etc George F. Whitaker under the description & name of G. F. Whitaker, as part of his doings on a certain execution issued from said office in a Judgment rend-

ered in the above entitled cause in the said court which said execution/issued [was] from said office on the 10th day of May 1838,(Said Judgment being repleviable): which Said bond follows in these words & figures viz - Know all men by these presents that we Simpson Cummins William F. Beavers, John Cummins and James Cummins & G. F. Whitaker are held

Know all men by these presents that we Simpson Cummins Wiliam [sic] F. Beavers John Cummuns [sic] and James Cummins & G. F. Whitaker are held and firmly bound unto Richard H. Fury in the sum of Four thousand and Thirty Eight dollars the payment of which well and truly to be made we bind ourselves our heirs executors and administrators firmly by these presents - Sealed with our Seals and dated this 24th day of May A. D. 1838

The Condition of the above obligation is Such that Whereas execution has issued on a Judgment obtained in the LaGrange Circuit Court in favour of the Said Richard H. Fury against the above bound Cummins, Beavers, & Cummins for two Thousand Nineteen dollars & Fourteen Cents, now then if the Said Judgment is paid at the expiration of the Stay of the execution together with the interest & costs accruing & to accrue then this obligation to be null and void otherwise to be and remain in full force & Virtue in Law

Simpson Cummins §SEAL§ G. F. Whitaker §SEAL§
John Cummins §SEAL§
W. F. Beavers §SEAL§ James Cummins §SEAL§

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Resignation

I Joshua T. Hobbs do hereby resign my office as Clerk of the LaGrange Circuit Court this 4th day of August 1838

J. T. Hobbs

Know all men by these presents that we William M. Holmes, Joshua Galem Mills Averell Samuel A. Howard are held and firmly bound to the State of Indiana in the penal Sum of Two Thousand five hundred dollars to be paid to the Said State of Indiana to which payment well and truly to be made we bind ourselves our heirs Executors & Administrators firmly by these presents. Signed with our hands and Sealed with our Seals and dated this Sixth day of August in the year of Our Lord 1838

The Condition of the above 'obligation' is Such that if the avove named William M. Holmes shall and do well and faithfully discharge the duties of the office of Clerk of the LaGrange Circuit Court and Seasonably record all decrees, Judge-[sic] ments/and Orders of the Said court and also Pay over all monies which Shall or may Come into his hands for the payment or in discharge of any Judgement [sic] order or decree of Said Court or in any other manner by virtue of his office, to Such person or persons as Shall by Law have a right to demand and recove[r] the Same. And do and perform all other acts which may be requ[i]red of him by Law Then this 'obliga-

tion' to be null and void or otherwise to remain in full force and virtue in Law

Witness our hands and Seals the day and year first above written

W.m M. Holmes § §

Joshua Gale § §

We the undersigned associate Judges of the La Grange circuit court approve the Sufficiency of the within Bond and Securities

Mills Averill § §

Samuel A. Howard § §

Lima LaGrange county Ia [sic] August 6th 1838

Ephraim Seely) Associate

Luther Newton) Judges

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October Term 1838.

At a term of the circuit court of the County of Lagrange in the State of Indiana began [sic] & held at the court house in Said county on Monday the fifteenth day of October in the year of Our Lord one thousand eight hundred and thirty eight present the Honorable Charles W. Ewing president and presiding Judge of the eight[h] Judicial Circuit of the State of Indiana, and Luther Newton ~~Newton~~ [sic] and Ephraim Seely Esquires associate Judges of the Lagrange Circuit court, also present, William M. Holmes Clerk of said court and Peter L. Mason Sheriff of said County of Lagrange -

Peter L. Mason Sheriff of Lagrange County now brings into

court the following pannel [sic] of Grand Jurors Summoned by virtue of a Vinire [sic] facias heretofore to him directed, to wit Samuel A. Howard who is by the court appointed foreman and is sworn as such, Henry Lockrider Theodore Craft, David Smith George Egnew - Abram Cole Nelson Earl Samuel P. West, William Herbert nine in number and no more of the persons named in said Venirie [sic] facias answering to their names when called the Said Sheriff by order of the court now summon and place on the pannel the following byStanders to wit Thomas J. Spalding William T. Howard Jesse Harding John Kromer and George Lotterer five in number who with the aforesaid nine make fourteen good and Lawful man discreet freeholders and householders of the County of Lagrange aforesaid who being Empannelled [sic] charged and Sworn well and truly to enquire within and for the body of the County of LaGrange retire to deliberate on their duties under charge of a sworn office[r] of this court.

(5 days G.J.)

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October Term 1838 -

State of Indiana)
)
No. 1 N.Dr vs) Indictment for Grand Larceny
)
William B. Fowler)

1

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf

And moves the court for an Alias Capias in this behalf directed to the Sheriff of this county which is granted and this cause is continued

State of Indiana)
)
vs) Indictment for Forgery
)
Josiah Jerome)

No 2 N Dr

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and moves the court for an alias capias directed to the Sheriff of this county which is granted and this cause is continued

State of Indiana)
)
vs) Indictment for Forgery
)
Samuel R. Jennings)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the the [sic] said defendant in his own proper person also comes and being arraigned upon the indictment aforesaid and it being forthwith demanded of him how he will acquit himself of the offence [sic] therein charged against him for plea hereto says

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October Term 1838

he is not guilty and for trial thereof he puts himself upon

State of Indiana)
)
)
Vs.) Indictment for Perjury.
)
)

the country and the said prosecutor doth the like Thereupon here comes a Jury to try the issue Joined between the parteis [sic] aforesaid to wit Edward Smith Alfred Martin, John Cowin Henry Sidner, Jehu Lackey David Stephenson, Stephen D. Palmer, Brice Hays - John Trask, Ivory Crandall, Almon Perine [?] Cyrus Fillmore - twelve good and lawful men discreet freeholders and householders of the County of Lagrange aforesaid who are elected tried and Sworn the truth to speak upon the issue Joined aforesaid and a true verdict give according to the evidence, and after hearing the proofs and allegation of the parties, the argument of counsel, and charge of the court, retire to deliberate upon their verdict under charge of a sworn officer of this court and after deliberation had thereon return into court under charge of said officer - with the following verdict to wit - "we the Jury do find the defendant not guilty. It is therefore considered by the court that the said defendant as to said Indictment and offence [sic] go hence acquit thereof without day

On motion of Thomas Johnson Esqr George Rowe is admitted attorney and counsellor at Law Ex Gracia and during the present Term of this court Sworn as Such -

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October Term 1838 -

Morgan L. Ketchum)
)
vs) In Chancery -
)
Jacob Lane)

(Notice sent Oct. 14th 1838)

Now at this time comes the complainant by McGaffey his Solicitor and on his motion it is ordered that the filing and pendency of the complainants bill of complaint be published three weeks successively in the Fort Wayne Sentinel a Newspaper printed and published at Fort Wayne in Allen County Indiana Sixty days pr[e]vious to the first day of the next Term of this court in manner required by order of this court at the last Term and this cause is continued -

Elijah West)
)
vs) In Chancery -
)
John Ewell)))
))
Notice sent to Wayne Decm)
)
14, 1838)

Now at this time comes the complainant by McGaffey his Solicitor and on his motion it is ordered that the filing and pendency of the complainants bill of complaint be published Three weeks successively in the Fort Wayne Sentinel a Newspaper printed and Published at Fort Wayne in Allen County Indiana sixty days previous to the first day

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October Term 1838 -

State of Indiana)
)
vs) Indictment for Grand Larceny
)
John Stratton)

N^{O} 5

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of The State of Indiana in this behalf and on his motion an attachment is ordered ~~is ordered~~ [sic] to be issued against Hiram L. Johnson Jonathan Woodruff and Norman Guernsey returnable on the first day of the next Term of this court for a contempt of this court in ~~refusing~~ [sic] failing to obey the process of this court wherein they were severally Summoned to appear before the Judges of this court on the first day of the present Term to Testify on behalf of the State of Indiana in the above entitled cause and that they Severally be required to enter into recogniaance in the sum of fifty dollars conditioned for their appearance on the first day of the next Term of this court to answer for said contempt, and on motion and affidavit of the said prosecutor this cause is continued

State of Indiana)
)
vs) Indictment for ~~Grand~~ [sic] Larceny
)
John Stratton)

N^{O} 4

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and says he will no further prosecute the said defendant on

the indictment aforesaid It is therefore considered by the

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court that the said defendant as to said Indictment go hence without day

And the court adjourned until tomorrow morning nine oclock.

Publicly read in open Court and Signed October the 16th 1838.

C. W. Ewing

Tuesday Morning 9 oclock October 16th 1838

court met pursuant to adjournment same Judges and officers of the court as on y esterday

Daniel M. C. Ludlow) N° 4
)
vs) Trespass on the case
)
James McConnell)

Now at this time comes the said defendant and the said plaintiff being three times called and failing to appear and prosecute his suit It is considered by the court that the said plaintiff be nonsuited and that the said defendant do recover against the said plaintiff his costs & charges in this behalf laid out and expended

Charles Johnson)
) N° 8.
Charles H. Stewart)
)
vs) Debt on Appeal
)
Alfred H. Murray)

Now at this time comes the parties and by their agreement this cause is continued -

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George F. Whitaker) N° 2
)
vs) Trespass on the case
)
Than H. Codding)

Now at this time comes the parties and thereupon the defendant files his demurrur [sic] to the first count of the plaintiffs declaration in these words (here insert it) and the said plaintiff files his Joinder in these words (here insert it) and the said defendant files his plea of General issue to the second & third count of the said plaintiffs declaration in these words (here insert it) and the said plaintiff files his similiter [sic] in these words (here insert it) and day is given the parties

James McConnell) N° 4
)
vs) Assumpsit
)
William F. Beavers)

Now come the parties and the said defendant

files his two pleas in this behalf in these words (here insert it) and day is given the parties

Drusus Nichols) N^{O} 5
)
vs) Trespass on the case
)
John B. Clerk)

Now at this time comes the said plaintiff and the said defendant being three times solemnly called comes not but herein makes defaut [sic] whereby the said plaintiffs action remains unanswered and

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undefended, and it appearing to the Satisfaction of the court by the Sheriff[s] return upon the writ in this behalf That the same had been served upon the defendant ten days previous to the first day of the present Term of this court which writ and return are in these words (here insert them) and it also appearing to the court that the declaration had been filed ten days previous to the first day of the present Term and the plaintiff now waives the consideration of damages It is therefore considered by the court that the said plaintiff do recover afainst the said defendant ~~the sum of~~ [sic] his costs and charges in this behalf laid ~~damages the amount~~ [sic] out and expended

Than H. Codding) N° 6
)
vs) Trespass on the case
)
John Ewing -)

Now at this time comes the plaintiff and on his motion an Alias Capias is awarded and this cause is continued

James Rolfe) N° 9 -
)
vs) Debt on Writing obligatory
)
Hiram Humfrey)

Now at this time comes the partues and on motion of plaintiff this cause is continued

Thomas P. Curtis) N° 10
)
vs) Trespass
)
Joshua Weeks)
)
Edmund Littlefield)
)
David Stevenson) Now at this time comes

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the parties and by their agreement this cause is continued

James McConnell) N° 11.
)
vs) Assumpsit
)
Reuben J. Dawson)

Now at this time come the parties and by their agreement this cause is continued at the costs of the plain-

tiff, of the present Term which he is ordered to pay in ixty days

David Jenkins)
)
Stephen Kistler)
)
vs) Trespass on the case
)
Gustavus A. Moore)
)
John M. Anderson)

N° 12

Now at this time comes the said plaintiffs ~~and-the-said-defendants-being-three-times-Solemnly-called comes-not-but-herein-makes-makes-default~~ [sic] and it appearing to the Satisfaction of the court by the return of the Sheriff upon the writ in this behalf that the same had been served upon the said Gustavus A. Moore ten days previous to tje first day of the present Term and returned not found as to the said Johm M. Anderson which writ and return are in these words (here insert them) And the said Gustavus A. Moore being three times solemnly called came not, but herin (sic] makes default Whereby the said plaintiffs action remains unanswered and undefended. It is therefore considered by the court that the said plaintiffs do recover against the said defendant Gustavus A. Moore

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October Term 1838

the sum of twelve hundred and thirty four dollars and ninety cents in damages besides his costs and charges in this behalf laid out and expended & the defendant in mercy &c -

Stephen Master)
)
vs.) Treatises on the case
)
Chauncey A. Moore)
)
Glenn M. Anderson)

Dav[i]d Jenkins &)
)
Stephen Kistler)
)
vs) Trespass in the case
)
Gustavus A. Moor)
)
John M. Anderson)

N° 13

Now at this time comes the said plaintiff and it appearing to the satisfaction of the court by the Return of the Sheriff upon the writ in this behalf that the same had been serv[e]d upon the said Gustavus A. Moore, ten days previous to the ~~present term~~ [sic] first day of the present Term of said court and returned not found as to the [said] John M. Anderson- which writ and return are in these words (here insert them) And the said Gustavus A. Moor, being three times solemly [sic] call'd came not - but herein makes default, whereby the said plaintiffs action remains unanswered, and undefended - It is therefore considered by the court, that the said plaintiff do recover of the said defendant Gustavus A. Mooew the sum of Eleven Hundred and Seventeen Dollars and Fifty four cents in damages besides his costs and charges in ths [sic] behalf laid out and expended - And the defendant in mercy &c -

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October Term 1838

David Haskins) N° 14
)
vs) Covenant
)
Peter Martin)

Now at this time comes the parties and on plaintiffs motion this cause is dismissed It is therefore ordered by the court that the said plaintiff pay the costs of this suit in Sixty days or in ddfaut [sic] thereof that an attachment issue to compel the payment thereof

Elias B. Smith) N° 15.
)
vs) Trespass on the case
)
James Belote &)
)
John Belote)

Now comes the plaintiff and on his motion this cause is continued

Elias B. Smith) N° 16.
)
vs) Trespass on the case
)
David Elmore)

Now comes the parties and on motion of plaintiff this cause is continued

Jonas Tillipaw) N° 21
)
vs) Debt on Appeal
)
Elias B. Smith)

Now come the parteis [sic] and by their agreement this cause is dismissed with leave to parties to with-

draw their papers -

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Hugh Allison) 22
)
vs) Debt
)
Robert Johnson)

Now at this comes the said/~~defendant and the said plaintiff being three times called and failing to appear and prosecute his suit a non suit is granted against him-- It is therefore considered by the court that the said defendant do recover against the said plaintiff his costs and charges in this behalf laid out and expended~~ [parties] [sic] and this cause is continued by agreement

Jonathan Woodruff Jr) 23
)
vs) Trial of right of property
)
Levi Knott &) on appeal
)
Ethan A. Brown)

Now come the parteis [sic] and by their agreement this cause is continued.

John VanGilder) 24
)
vs) Debt on Appeal
)
George F. Whitaker)

Now comes the plaintiff and the defendant being three times called and having failed to prosecute his

appeal in this behalf - the Judgment of the Justice of the peace is affirmed with ten percent damages thereon It is therefore considered by the court that the said plaintiff do recover against the said deft the Sum of thirty Sev[e]n dollars forty nine cents being the amount of the Judgment of the Justice of the peace together with the Sum

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of three dollars seventy six cents - being ten per cent thereof making in all the Sum of forty one dollars twenty two cents - besides his costs and charges in this behalf laid out out [sic] and expended

Reuben Chamberlin) 25
)
vs) debt on appeal
)
John B. Bonni[e])

Now at this time come the parties and on motion of plaintiff a rule is granted against the Justice of the peace before whom this cause was tried to certify a full and perfect Transcript of the Judgment and proceedings had before him in this cause by tomorrow morning

John VanGilder) 31
)
vs) Debt
)
George F. Whitaker)

Now comes the said plaintiff and on his motion an alias capias is awarded directed to the Sheriff of this

county, and this cause is continued

John W. Pound) 32
)
vs) Trespass on Appeal
)
Stephen D. Palmer)

Now come the parties and the plaintiff on affidavit filed moves the court for a continuance of this cause which is granted upon payment of the costs

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of the present Term, which the said plaintiff is ordered to pay in Sixty days

David Elmore) 34
)
vs) Trespass on the case
)
Francis L. McHugh)

Now come the parties and thereupon by consent of parties a rule is granted against the said plaintiff to file his declaration on tomorrow morning & day is given the parties -

John B. Clark) 35
)
vs) Debt on appeal -
)
George Lotterer)

Now comes the said defendant, and the said plaintiff being three times called comes not and having failed to appear and presecute [sic] his said action on

motion of said defendant a non suit is granted against him. It is therefore considered by the court that the said defendant do recover against the said plaintiff his costs and charges in this behalf laid out and expended -

Elisha Hoard)
) 36
vs) Debt on appeal
)
Solomon Townsend)

Now come the parties and thereupon on motion of def.t a rule is granted against the justice of the peace before whom this cause was tried to certify a full perfect and complete transcript of the Judgment and proceedings had before him in this cause by tomorrow morning and day is given -

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October Term 1838

Solomon Griswold) 38
)
vs) Trespass on the case
)
Joshua Weeks)

Now comes the said plaintiff and the said defendant being three times Solemnly called came not but herein makes default whereby the said plaintiffs action remains unanswered and undefended and it appearing to the satisfaction of the court by the return of the sheriff upon the writ in this behalf that same had been served upon the said defendant ten days previous to the first day of the

present Term of this court, which writ and return are in these words (here insert them) and it also appearing to the court that the declaration in this cause has been filed ten days previous to the first day of this term It is th erefore considered by the court that the said plaintiff do recover against the said defendant the Sum of Three hundred and thirty four dollars and fifty cents in damages besides his costs and charges in this behalf laid out and expended -

Philip E. Runyon	)	39
	)	
vs	)	Debt on Appeal
	)	
Albert Powell	)	Bond on Appeal
	)	
Peter L. Mason	)	

Now at this time comes the parties and on motion of said defenfant this cause is dismissed for want of authority in the plaintiff to sue in his own name -

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on said official bond - It is therefore considered by the court that the said defendants do recover against the Said plaintiff his costs and charges in this behalf laid out and expended

Albert Andrews & Co.	)	40
	)	
vs	)	Assumpsit
	)	
George Ray	)	

Now comes the plaintiff and on his motion an alias capias is awarded. And this cause is continued -

H. Jaquette) 41
)
vs) Assumpsit
)
James DeGroff)

Now come the parties and by consent of plaintiff this cause is dismissed at his own costs. It is therefore considered by the court that the said defendant do recover against the said plaintiffs his costs and charges in this behalf laid out and expended -

Isaac Whitaker) 42
)
vs) Assumpsit
)
Julia Whitaker)
)
Administratrix of)
)
James Whitaker dec.d)

Now come the parteis [sic] and the said defendant files her first plea in this behalf in these words (here insert it) and day is given

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David Elmore &) 43
)
Elmore)
)
vs) Trespass on the case
)
Francis J. McHugh)

October Term 18 8.

Now comes the Said plaintiff and on his motion an alias capias is awarded and this cause is continued

Asa P. Adams for the use of Robert Hamilton	)	44
vs	)	Trespass on the case
Brice Hays	)	

Now come the parties and a rule is granted against said defendant to plead on the next call of this cause - and day is given

Charles Wardell	)	52
vs	)	Debt
Richard H. Furry [sic] Joseph W. Hancox	)	

Now comes the plaintiff and on his motion this cause is continued for process.

David H. Parker	)	48
vs	)	Trespass on the case
James McConnell	)	

Now come the parties and by their agreement this cause is continued & leave is granted the plaintiff to amend his declaration in ninety days -

See Page 394

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David H. Parker) 49
)
vs) Trespass on the case
)
James McConnell)

Now come the parteis [sic] and the said plaintiff dismisses this cause at his own costs. It is therefore considered by the court that the said defendant do recover against the said plaintiff his costs and charges in this behalf laid out and expended

Elisha H. Shepherd) 50
)
vs) Trespass on the case
)
Norris Stockwell)

Now at this time comes tbe said plaintiff and the said Defendant being three times solemnly called comes not byt herein makes default whereby the plaintiffs action remains unanswered and undefended and it appearing to the satisfaction of the court by the return of the sheriff upon the writ in this behalf that the same had been served upon said defendant ten days previous to the first day of this term and that the declaration had been filed in this court ten days before the first day of this term It is therefore considered by the court that the said plaintiff do recover against the said defendant the Sum of One hundred and thirty two dollars and seventy cents in damages

besides his costs and charges in this behalf laid out and expended

C Barnum)
) 51
W. Barnum)
)
vs) Assumpsit
)
Albert Powell)
)
David G. Haskins)

Now come the parties and the said plaintiffs dismiss this cause

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at their own costs which they are ordered to pay in Sixty days

Alexander H. Newbold)
) 54
John W. Strong)
)
vs) Trespass on the case
)
David G. Haskins)

Now comes the said plaintiffs and the said defendant being three times Solemnly called comes not but herein makes default whereby the plaintiffs action remains unanswered and undefended and it appearing to the satisfaction of the court by the Sheriffs return upon the writ in this behalf that the same had been served ten days previous to the first day of this term which writ and return are in these words here insert them and it also appear-

ing to the court that the declaration in this cause had been filed in this court ten days before the first day of the present Term It is therefore considered by the court that the said plaintiffs do recover against the said defendants the Sum of Three hundred and four dollars and Seventy cents in damages besides his costs and charges in this behalf laid out and expended

Nathan Dockstader	)	55
	)	
vs	)	Trespass on the case
	)	
Jeremiah Case	)	
	)	
Nathaniel O. Archer	)	

Now comes the said plaintiff and the said defendants being three times solemnly called come not but

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herein make default Whereby the said plaintiffs action remains unanswered and undefended and it appearing to the Statisfaction [sic] of the court by the Sheriffs return upon the writ in this behalf that the Same had been served upon the said defendant ten days previous to the first day of the present Term which writ and return are in these words (here insert them) and it also appearing to the court that the declaration has been filed in this court ten days before the first day of this term It is therefore considered by the court that the said plaintiff do recover against the

Said defendant the Sum of one hundred and ninety two dollars and twelve cents in damages besides his costs and charges in this behalf laid out and expended -

Robert Dayton)
)
vs) Trespass on the case
)
John C. Kinney)
)
Silas Powell)

56

Now come the parties and the said defendants file their three several pleas in this behalf in these words (here insert them) and on their motion on affidavit filed a continuance is granted at the costs of the said defendants of this term, which they are ordered to pay in Sixty days

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October Term 1838

John Jewett)
)
vs) Debt.
)
Than H. Codding)

57

Now comes the Said plaintiff and the said defendant being three times solemnly called comes not but herein makes default Whereby the said plaintiffs action remains unanswered and undefended and it appearing to the Satisfaction of the court by Sheriff return upon the writ in this behalf that the same had been Served upon the said defendant at least ten days prior to the first day of this

22d Feby - paid on this Judgment Eight Hundred and two & 61/100 Dollars as per Recpt of John B. Howe -

term which writ and return are in these words here insert them) and it also appearing to the court that the declaration has been filed in this court ten days previous to the first day of the present Term It is therefore considered by the court that the said plaintiff do recover against the said defendant the sum of nineteen hundred and fourteen dollars in debt together with the Sum of two hundred and thirty nine dollars and fifty cents in damages making in all the sum of Twenty one hundred and fifty three dollars and fifty cents besides his costs and charges in this behalf laid out and expended -

Tunis VanPelt &)		58
)		
John Fowler)		
)		
vs)	Assumpsit	
)		
Nathan Merriman)		

Now comes [sic] the parteis [sic] ~~and a rule is granted against the Said defendants~~ [sic] and by agreement this cause is continued and the said defendants [are ordered] /to plead by the next call of this cause

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October Term 1838

Collins H. Jaquitte	)	59
	)	
Mortmore [sic] D. Milleken	)	
	)	
Jesse W. Jaquitte for the use &c	)	
	)	
vs	)	Assumpsit
	)	
James DeGraph	)	

Now comes the said plaintiffs and on their motion this cause is continued for process

George Deal	)	60
	)	
vs	)	Trespass on the Case
	)	
Sylvanus Hatch	)	
	)	
William B. Dunn	)	

Now at this time comes the said plaintiff and the said defendants being three times solemnly called come not but herein make default Whereby the said plaintiffs action remains unanswered and undefended and it appearing to the Satisfaction of the court by the return of the Sheriff upon the writ in this behalf that the same had been served upon the said defendant ten days previous to the first day of this term which writ and return are in these words (here insert them) And it also appearing to the court that the declaration was filed in this court ten days before the first day of the present Term It is therefore considered by the court that the said plaintiff do recover against the said defendants the Sum of One hundred

and three dollurs [sic] seventy five sents [sic] in damages besides his costs and charges in this behalf laid out and expended -

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October Term 1838.

Dimick Harding) 61
)
vs) Debt
)
Robert Johnson)
)
Anthony Johnson)
)
Brice Hays)
)
John Gardner .)

Now comes the plaintiff and the said Anthony Johnson being three times solemnly called comes not but herein makes default, and Robert Johnson Rice Hays and John Gardner come and a rule is granted against them to plead by the next call of this cause and day is given

William Brown) 62
)
vs) Trespass on the Case
)
John Bower)

Now come the parties and a rule is granted against the Said defendant to plead by the next Call of this cause & day is given

Charles Barnum)
)
William Barnum)
)
vs) Assumpsit
)
David G. Haskins)
)
Albert Powell)

63

Now comes the plaintiff and the writ not having been Served ten days before the first day of this term this cause is continued

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October Term 1838

James DeGraph)
)
vs) Trespass on the case
)
Truman Gilbert)
)
William Clark)

64

Now comes the plaintiff and discontinues his suit at his own costs which he is ordered to pay in Sixty days

Rufus Hendricks)
)
George W. Lamb)
)
vs) Debt.
)
Albert Powell)
)
David G. Haskins)

Now come the parties and the said plaintiffs discontinue their action against said defendants at their own costs which they are ordered to pay in Sixty days

State of Indiana) 2
)
vs) On Recognizance forfieted [sic] -
)
Daniel Ludlow)

Now at this time comes Thomas Johnson Esquire prosecuting the pleas of the State of Indiana in this behalf and the said Daneil [sic] Ludlow, being three times solemnly called comes not but herein mak[e]s default whereby the said recognizance is forfeited and the said defendant become liable to pay to the said State of Indiana the sum of three hundred dollars the amount in said re[c]ognizance specifeid[sic] It is therefore considered by the court that the said State of Indiana do recover against the said defendant

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the sum of three hundred dollars the Said re[c]ognizance specified besides her costs and charges in this behalf laid out and expended. And it is ordered by the court that a writ of Scire facias do issue against the said defendant, requiring him to be and appear before the Judges of this court on the first day of the next Term thereof to Shew cause if any he can why the said State of Indiana should not have execution against the ~~said~~- [sic] goods chattles [sic] lands and tenements of the said defendant, to make the said sum of three hundred dollars as also her costs and charges in this behalf laid out and expended

State of Indiana)
)
vs) On Recognizance forfeited
)
Brutus Stockwell)

Now at this time comes Thomas Johnson Esqr prosecuting the pleas of the State of Indiana in this behalf and the said defendant Daniel Ludlow principle [sic] in Said recognizance being three times solemnly called comes [not] but herein makes default and the said Brutus Stockwell surety in said recognizance being three times solemnly called and required to bring into court Daneil [sic] Ludlow in discharge of his recognizance comes not but herein makes default whereby the Said recognizance is forfeited and the said defendant become liable to pay to the said State of Indiana the Sum of three hundred dollars in said recognizance Specified It is therefore considered by the court that the said State of Indiana do recover against the said defendant the said sum of three hundred dollars besides her costs and charges in this behald laid

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out and expended And it is ordered by the court that ~~the~~ [sic] a writ of Scirefacias do issue against the said defendant requiring him to be and appear before the Judges of this court on the first day of the next Term thereof to Shew cause if any he can why the said State of Indiana should not have execution against the goods chattles [sic] lands

and tenements of the said defendant to ~~satisfy~~ [sic] make the said sum of three hundred dollars as also her costs and charges in this behalf laid out and expended

James McConnell)
)
vs) Assumpsit
)
William F. Beavers)

Come now the said parties and the said ~~def~~ [sic] plaintiff now files his replication to said first plea of Defendant heretofore filed which replication is in these words (here insert it) and files also his similiter in these words (here insert it) to said second plea, & day is given &c

And Court adjourned untill [sic] 9 Oclock tomorrow morning -

Publicly read in open Court and signed October the 17th 1838

C. W. Ewing

Wednesday morning nine oclock October 17th A. D. 1838. The court met pursuant to adjournment present the Same Judges and officers as on yesterday

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October Term 1838

David Jenkins)
)
Stephen Kistler)
)
vs) Assumpsit
)
Gustavus A. Moore)
)
John M. Anderson)

No 20

Now at this time comes the said plaintiffs and it appearing to the Satisfaction of the court by the return of the Sheriff upon the writ in this behalf, that the same had been servd [sic] upon the said Gustavus A. Moore and John M. Anderson Defendants ten days at least previous to the first day of this term which writ & return are in these words (here insert them) and the said defendants being three times called came not, but herein make default, whereby the said Plaintiffs action remains unanswerd [sic] and undefended - It is therefore considerd [sic] by the court that the Plaintiffs do recover of the said defendants, Gustavus A. Moore and John M. Anderson, the sum of Eleven Hundred and thirty three Dollars and Seventeen cents - ($1133.17/100) in damages besides their costs and charges in this behalf, laid out and expended - and the said defendants in Mercy &c -

Chapman Yates)
)
vs) Trespass on the case
)
Abram K. Brown)
)
Joseph S. Ruitt) [?]

N^{O} 66

Now at this time come the said plaintiffs and repports [sic] to the court that Joseph S. Ruitt[?] in f [sic] [not found] and it appearing to the satisfaction of the court by the return of the sheriff upon the writ in this behalf that the same h ad been servd upon the said Abram K. Brown at least ten days previous to the first day of this term, which writ & returns are in these words (here insert them) and the said defendant, being three times calld, came

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October Term 1838 -

~~not~~ [sic] not but herein make default, whereby the Plaintiffs Action remains unanswerd and undefended - It is therefore considered by the court, that the Plaintiffs do recover of the said defendant Abram K. Brown the sum of Two Hundred and thirteen Dollars and fifty cents $213.50/100 in damages besides the costs and charges in this behalf laid and expended - And the said defendant in mercy &c -

I assign over the above Judgment to Abram K. Brown for his use and purpose

7th August 1839 Chapman Yates

By Elias B. Smith

His atty

Seth H. Shelden)
)
vs) N^{O} 68
)
Nathaniel O. Archer) Trespass on the case

Now at this time comes the said Plaintiff and it appearing to the satisfaction of the court by the return of the Sheriff upon the writ in this behalf that the same had been served upon the said defendant at least ten days previous to the first day of this Term, which writ & retutn are in these words (here insert them) and the said defendant being three times ~~seleml~~ [sic] called came not, but herein makes default - whereby the said Plaintiffs action remains unanswered and undefended - It is therefore considered by the court that the said Plaintiff do recover of the said defendant Nathaniel O. Archer the sum of Two Hundred and forty three Dollars and thirty Seven cents $243.37/100 in damages beside the costs and charges in this behalf laid out and expended - and the defendant in Mercy &c -

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October Term 1838 -

State of Indiana) N^{O} 4
)
vs) Indictment for Larceny
)
John Straton)

Now at this time comes Thomas Johnson Esquire prosecuting the please [sic] of the State of Indiana, in this behalf and the said defendant in his own proper person also

comes and being arraignd [sic] upon the inditment [sic] aforesaid and it being fourthwith [sic] demanded of Him how he will acquit himself of the offence [sic] therein charg'd against Him for plea hereto says he is not guilty, and for trial thereof he puts himself upon the country, and the said prosecutor doth the like - thereupon here comes a Jury to try the issue joined between the parties aforesaid [sic] to wit: - Edward Smith Alfred Martin, John Cowin, Henry Sidener, Jehu Lackey Almon Brine, Ivory Crandall, Cyrus Fillmon Daniel H. Pierce, Peter Miller, Thomas Oliver - Twelve good and lawfull [sic] man discreet freeholders and Housholders [sic] of the county of Lagrange aforesaid who are elected tried and sworn the truth to speak upon the issue Join'd afforesaid [sic] and a true verdict to give according to the evidence and after hearing the prooffs [sic] and alegations [sic] of the parties, the argument of the council [sic] and charge of the court retir'd to deliberate upon their verdict under charge of a sworn officer of this court, and after deliberation had thiron [sic] return'd into court under charge of the said ofice [sic] - with the following verdict, to wit: - "We the Jury do find the defendant not guilty" - It is therefore considered by this court that the said defendant, as to said Indictment and offence go hence acquited [sic] thereof - without day -

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October Term 1838.

State of Indiana)
)
vs) Indictment for Assault & Battery
)
Joshua House)

Now comes Johnson who prosecutes the pleas of the State in this behalf and on his motion this cause is continued and an alias Writ of Capias ad respondendum is awarded to be directed to the Sheriff of Lagrange County.

Amos Stearns)
)
vs) Trespass on the Case
)
James Pence)

Now comes the parties, and thereupun [sic] the said plaintiff withdraws his joinder in demurrer heretofore filed in this behalf and dismisses his cause It is therefore considered by the court here that the said plaintiff take nothing by his said action and that the said defendant recover ~~of~~ [sic] against the said plaintiff his costs and charges in this behalf expended and the plaintiff in mercy &c. This fee is paid - Nothing more to do

Frederick ~~Powel~~ [sic] Hamilton)
)
vs)
) Trespass
Albert Powel &)
)
Sheldon Havens)

Now come the parties and thereupon the said plaintiff moves the court for judgment upon the verdict of the Jury heretofore found in this behalf, which motion the court sustain It is therefore considered by the court here that the said plaintiff do have and recover against Albert Powel one of said defendants the sum of twenty one

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dollars and ninety four cents, so-f [sic] in damages, so found by the Jury as aforesaid vesides his costs and charges in this behalf expended, and the defendant in mercy &c

Jeremiah Hayes) No 4
)
vs) Debt on appeal
)
Metzer Alvord)

Now come the parties and by their agreement this cause is continued untill [sic] the next term of this court.

James McConnell) 6
)
vs) Trespass on the case upon promises
)
William F. Beavers)

Now come the parties by their attorneys and the issue being joined in this behalf as aforesaid thereupon comea Jury to try the issus to wit Alfred Martin 1 Thomas Oliver 2 Almon Brine 3 Ivory Crandall 4 Henry Sidener 5 Jehu Lackey 6 John Cowen 7 James Nichols 8

John Brown 9 Brice Hayes 10 Robert Johnson & Henry Babitt[?] twelve good and lawful men discreet householders and free-holders of the county aforesaid who being elected tried and sworn the truth to speak and a true verdict to give according to the evidence after hearing the proofs and allegations of the parties the argument of counsel and charge of the court retire to their room under a sworn officer of this court, and after due deliberation had rhereon return into court under charge of said officer with [sic] do say and ~~find~~ [sic] the following verdict to wit, we the jury find for the plaintiff and assess his damages at the sum of two hundred and fifty four dollars and forty five cents, and thereupon the said defendant now gives notice that he will move for a new trial in this behalf and day is given

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October Term 1838

~~David M. Luddum~~ [sic])
) N. 16
George Carl)
)
vs) Domestic Attachment
)
~~James McConnell~~ [sic])
)
Hiram Crande [Crandell])

Now at this [time] comes the plaintiff by his attorney and this cause is continued for publication

Hezekiah Hoard) 18
)
vs) Debt on Appeal
)
James Salsbury)

Now come the parties in this cause and the issue being joind [sic] as aforesaid and thereupon come a Jury to try the case to wit: - Curtus [sic] Harding, James B. Cole Robert Johnson, James H. Pence, Enoch Leighton Mordicai Leighton Micajah Harding Samuel Robinson Almon Brown Alexander Burg[?] Jacob Tillman & Edward Smith Twelve good and lawfull [sic] ~~freeholders of the County aforesaid~~ [sic] men discreet discreet [sic] housholders [sic] and freeholders of the County aforesaid, who being elected tried and sworn the truth to speak and a true verdict to give according to the evidence, after hearing the prooff [sic] and alegations [sic] of the Parties, the argument of the council [sic] and charge of the court do say, and find the following verdict to wit, We the Jury do find for the plaintiff and assess his damage at Eighteen Dollars and twenty five cents $18.25 - ~~besides the costs and charges in this behalf laid out and expended - and the said defendant in mercy &c~~ [sic] - thereupon the said defendant here gives notice that he will move for a new trial in this behalf - and day is given -

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October Term 1838

Charles W. Selbey) No 27
)
vs) Si fa. on Transcript
)
Joseph Todd)

Now at this time neither of the parties appearing this cause is continued till next Term -

James Campbell) No 28
)
vs) Si. fa. on Transcript
)
Jehu Nevels)

Now at this time comes the said plaintiff, and the said defendant being three times Solemnly called comes not but herein makes default, whereby the said plaintiffs action remains unanswered and undefended, and it appearing to the satisfaction of the court that - on the 29th day of June 1838 said Transcript was fild [sic] in the office of the clerk of this court, by which Transcript it appears that on the 7th day of June 1838 the said plaintiff obtained a Judgment against said Defendant before Simeon Cain a Justice of the Peace in LaGrange County, for the sum of Eighty Eight Dollars and Twenty six cents - in ~~debt~~ [sic] damages together with costs of said suit renderd [sic] in favour of said Plaintiff- James Campbell. And it also appearing to the Court that an writ of Sire [sic] facias had been issued against the said defendant in this behalf to shew cause why execution should not be awarded against him, and it appearing

to the court that this writ had been servd [sic] ten days previous to the first day of this Term and that an execution has been issued by said Justice of the peace on said Judgment which was returnd [sic] no property found, as shew [sic] by said writ and the Sheriffs return thereon, which writ and return are in these words (here insert them) - It is therefore ordered by the court that the said plaintiff James Campbell have execution against the said defendant Jehu Nevels - for the sum

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in said Judgment, and scire facias specified and that he recover of said defendant his costs and charges in this behalf laid out and expended

David Stephenson)
)
vs) Si fa on Transcript
)
Jeremiah Case and)
)
Nathaniel O. Archer) 29

Now at this time comes the said plaintiff, and the said Defendants being three times call'd came not but herein make default, whereby the said plaintiff's action remains unanswerd [sic] and undefended and it appearing to the satisfaction of the court that on the 16th day of July 1838 said Trnascript was fild [sic] in the office of the clerk of this court by which Transcript it appears that on the 12 day of May 1838 said plaintiff obtaind [sic] a

Judgment against said defendant before Arid[?] Alvord a Justice of the Peace in LaGrange County for the sum of One Hundred Dollars debt and six Dollars Damages Together with costs of suit renderd [sic] in favour of said David Stephenson and that an execution had veen issued by the said Justice of the peace on said Judgment against the goods & chattles [sic] of said defendants which was returnd [sic] no property found And it also appearing to the court that one writ of scira [sic] facias had been issued against said defendant in this behalf to show cause why execution ~~to show-cause-why~~ [sic] should not be awarded against them, and it appearing to the court that this writ had been servd [sic] at least ten days previous to the first day of this Term, as show [sic] by said writ and the sheriffs return thereon, which writ and return are in

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October Term 1838

these words (here insert them) It is therefore orderd [sic] by the court, that the said plaintiff David Stephenson, do have execution against said Defendants Jeremiah Case & Nathaniel O. Archer - for the sum in said Judgment and scire facias, specified, and that He recover of said Defendants his costs and charges in this behalf laid out and expended -

David Elmore)
)
vs)
)
Francis L. McHugh)

No. 34

Trespass on the case

Now at this time comes the parties and on Plaintiffs Motion this cause is discontinued at the said Plaintiffs own cost - It is therefore considerd [sic] by the court now here that the said defendant do recover of the said Plaintiff his costs and charges in this behalf laid out and expended -

Elisha Hoard) No. 36
)
vs) Debt on appeal
)
Solomon Townsend)

Now at this time comes [sic] the parties and thereupon on motion of defendant a Rule is granted against the Justice of the Peace before whom this cause was tried to certify a full perfect and complete Transcript of the Judgment and preceedings [sic] had before him in this cause, by the next call -

$20.00 allowed -

On Motion to the Court By C. M. Johnson it is ordered that George Howe and Elias B. Smith have Each the Sum of Ten Dollars for their Services Under the appointment of the Court in defending John Shattan[?]

October Term 1838

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299

Nathan H. Wegman)
)
vs) debt on appeal
)
Thayer H. Codding)

Now at this time come the parties and by agreement the intervention of a Jury in this behalf is wav'd [sic] and this Cause for trial thereof submitted to the summey [sic] decision ~~of~~ [sic] of the court who after hearing the proof and alegations [sic] of the parties and the argument of the council [sic], and due deliveration [sic] had thereof - the court do find for the Plaintiff the sum of thirty one Dollars in Debt ~~and the cost and charges in this behalf laid out and~~ expended [sic] It is therefore considered by the court that the said plaintiff do have and recover against the Said defendant the sum of thirty one dollars in debt, besides his costs and charges in this behalf expend'd and the defendant in mercy &c

Attest E. Hanigan

I assign ~~twenty one dollars of~~ [sic] the above Judgment to John B. Howe for value rec^{d}, Lima Jany 7th 1838

Nathan H. Wegman

22^{d} February 1839, Satisfied in full as per John B. Howe Recpt S. P. Williams DpClk

N^{O} 69

Otis Newton)
)
vs) Debt
)
John Kinny &)
)
James Kinny)

This case came John B. Howe Esquire, Attorney for said defendants and as the friend of the court suggests that the writ of capias ad respondendum in this behalf is defective and moves the court to quash the same. Whereupon the court aftering [sic] seeing and inspecting said writ do sustain said motion and set aside the said writ and the proceeding thereon, at the costs of said plaintiff ~~which costs is is ordered to pay in sixty days and on motion of said plaintiff an alias writ of capias ad respondendum is awarded in this behalf and this cause is continued~~ [sic] And thereupon on motion of said plaintiff this cause is dismissed at plaintiff;s costs. It is therefor [sic] considered by the court here that said defendants do have and recover against said plaintiff their costs and charges in this behalf expended and the plaintiff in mercy &c

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October Term 1838

David F. Cole)
)
vs) Debt. N^{O} 70
)
William T. Howard)
)
& Ethan E. Brown)

This day came the plaintiff by Smith his attorney and suggests that it be entered of record that William T. Howard one of said defendants is not found which is done, and thereupon Ethan A. [sic] Brown one of said defend-

ents [sic] by How[e] his Attorney this day also came, and files his demurrer to said plaintiffs declaration, which demurrer is in these words (here insert the demurrer) and day is given &c.

Thayer H. Codding)
)
vs) Assumpsit
)
Nathan Wegman)

This day came the parties ~~and~~ [sic] by their attorneys and thereupon the Said defendant files his demurrer to the said plaintiffs declaration, which is in these words (here insert it) and day is given &c

And the court adjourned untill [sic] tomorrow morning nine oclock.

Publicly read in open court and signed October the 18th 1838

C. W. Ewing

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October Term 1838

Thursday morning October 18th 1838 9 Oclock Court Met pursuant to adjournment, present the same Judges and oficers [sic] as on Yesterday -

William N. Elliott)
)
Daniel Ward)
)
vs) Debt on Appeal
)
Andrew Johnson)

This cause came on to be heard upon the motion of the plaintiffs counsel to amend the verdict & judgment heretofore rendered in this cause, & was argued by counsel, om considereation whereof, It is ordered, that the plaimtiffbe at liberty to amd [sic] said judgment by striking out the name of Daniel Johnson, and inserting instead thereof - the hame of Andrew Johnson, so as to make the same conform to the pleadings & issue and to the manifist [sic] intent and operation of the verdict.

George ~~Tha~~ [sic] F. Whitaker) N.^{o} 2
)
vs) Trespass on the case
)
Thayer H. Codding) upon promises

This day came the parties and thereupon the said plaintiff withdraws his Joinder in demurrer heretofore filed in this cause, and asks & obtains leave to amend his declaration in this behalf, at the costs of said plaintiff which costs he is ordered to pay in sixty days and thereupon said plaintiff now files his declaration as amended and this cause is continued

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October Term A. D. 1838.

Elisha Hoard) N.O 36
)
vs) Debt on appal [sic]
)
Solomon Townsend)

Now at this time comes the defendant in this cause, and the Rule to the Justice of the Peace, "to Certify a full Complete and more perfect Transcript of the Judgment and preceedings [sic] hand [sic] before him in this case", not haveing [sic] been complyed [sic] with - ~~this suit~~ [sic] the appeal is dismiss'd at defendants costs - Tis therefor [sic] considerd by the court, that the said Plaintiff do recover of the said Defendant, the Costs and charges in this behalf laid out and expended -

Isaac Whitaker)
)
vs) N.O 42
)
Julia Whitaker)
)
Administrator of James Whitaker dec)

Now at this time come the Parties and by agreement this cause is continued -

George F. Whitaker) N.O 2.
)
vs) Trespass on the case
[sic])
Thayer H. Codding) [sic]

Come now the parties and the court after argument heard do sustain the said Demurrer heretofore filed to

said first count of plaintiffs said Declaration - and thereupon said plaintiff by leav[e] of the court withdraws his said Joinder in Demurrer & by leav[e] to amend his said Declaration and this cause is continued at said plaintiffs cot [sic] of this Term which costs he is ordered

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Oct 18th

within sixty days -

Jonathan Woodruff Jr) N° 7.
)
vs) Foreign Attacht
)
William Reynolds &)
)
Elijah Thomas)

Come now the ~~parties~~ [sic] plaintiff and ~~by their agreement~~ [sic] on his motion this cause is continued -

Thomas P. Carter) N° 11
)
vs) Trover
)
Joshua Weeks)

Come now the parties and by their agreement this cause is continued untill [sic] next Term -

Hezekiah Hoard) N° 19
)
vs) Debt on Appeal
)
James Salsbury)

Come now the parties and after argument heard upon said motion for a new trial in this behalf the court do

grant said motion and do set aside said verdict and grant a New Trial herein & this cause is continued untill [sic] the next Term & a venire denovo is awarded herein -

Reuben Chamberlin) N^{O} 25
)
vs) Debt on appeal
)
John B. Bon[n]ie)

Now come the parties and the said ~~Def~~ [sic] plaintiff now files an amended newly certified & perfect Transcript herein in discharge of the rule heretofore Taken which newly certified

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)
Oct. 18)

transcript is in these words & figures (~~to-wit~~ [sic] here insert the newly certified transcript and thereupon this cause is by the agreement of the parties continued at rhe cost of the said plaintiff of this Term which cost he is ordered to pay within sixty days.

John Cowen) N^{O} 26
)
vs) Trial of the right of property -
)
Tyler Flemming)

Now come the parteis [sic] and the issue being joined in this behalf at rhe request of said Plaintiff here comes a Jury of twelve to Tru the same towit Thomas Oliver, Jehu Lackey, Edward Smith Alfred Martin, Henry Sidener

Ivory Crandall, Sam[l] Berry Nicholas Sidener Otis Shepherdson Thadeus Nichols Almon Brim, Alex[d] Berry

Twelve good & lawful men discreet householders & freeholders of said County of Lagrange who being elected tried and sworn the truth to speak upon the issue joined as aforesaid and a true verdict give according to evidence after hearing the proofs & allegations of the parties, the argument of counsel and charge of the court upon their oath do say and find the following verdict to wit: We the Jury do find that the One Yoke of Oxen in said plaintiffs cause of action mentioned was & is the property of the said plaintiff." And thereupon the said ~~pla-~~ [sic] Defendant moves that said verdict be set aside and a new trial

granted herein - which motion is by the court without argument sustained and said verdict is set aside and a new trial is granted herein and this cause is continued untill [sic] the next Term and a venire denovo herein is awarded -

Asa P. Adams for the use of Robert P. Hamilton vs Brice Hays) N[o] 44) Trespass on the case

Come now the parties and the said Defendant says nothing in bar or preclusion of the said plain-

tiffs action in this behalf - It is therefore considered by the court now here that the said plaintiff for the bar of said Rpbert Jamilton do have and recover against the said defendant Brice Hays the sum of One hundred & fifty three dollars & ~~fifty-s~~ [sic] Eighty seven cents in damages as also his costs and charges in this behalf expended -

Demick Harding) N^{O} 61
)
vs) Debt.
)
Robert Johnson & others)

Now comes the said plaintiff and the said Anthony Johnson being three times called comes not but herein makes Defalt [sic] and the said Robert Johnson Brice Hays & John Gardner come also and say nothing in bar or preclusion of said plaintiffs action in this behalf - It is therefore considered by the court that the said plaintiff ought to have and

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Oct. 18)

recover against the said Defendants his said debt and also his Damages which he has sustained On account of the committing of the breaches in said Declaration assessed as also his costs and charges in this behalf paid laid out & expended - but because it is unknown to the court what amount of Damages said plaintiff hath sustained by reason of the breaches afore-

said let the further Judgment of the court herein be stayed untill [sic] the truth of those breaches & the Damages by said plaintiff sustained by reason of the premises ~~be~~ [sic] shall have been inquired of by a Jury of the country in that behalf according to the form of the statute in such case made & provided and to enquire of the truth of said breaches and to assess the damages aforesaid therefore let a Jury come - And thereupon now here comes the following Jury towit: - Edward Smith John Cowin, Enoch Leighton, Mordicai Leighton, Alfred Martin, Ivory Crandall, Jehu Lackey, Dan[1] H. Pierce, Harvey Babbett, Thomas Oliver Almon Brim, Henry Sidener - twelve good and lawful men, housholders [sic] & freeholders of the county of Lagrange aforesaid who are elected tried and sworn to make true enquiry and assessment of the Damages aforesaid & a true verdict give according to the evidence; who after hearing the proofs & allegations of the parties, the argument of counsel & charge of the court do say & find the the [sic] following verdict to wit "We the Jury do say and find that the said Defendants did commit the said several breaches of said conditions of said writing obligatory

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as in said plaintiffs declaration alledged [sic] and do assess said plaintiffs Damages by him sustained by reason thereof at the sum of One hundred and thirty two dollars and forty two and an half cents.

It is therefore considered by the court now here that the said plaintiff do have and recover against the said Defendants the sum of Two hundred Dollars ~~the~~ [sic] for his Debt in said Declaration mentioned as also his costs and charges in this behalf paid laid out and expended To be discharged upon the payment of the said sum of One hundred and thirty two Dollars and forty two and an half cents the Damages so assessed and found as aforesaid, and the costs and charges aforesaid -

And thereupon the said plaintiff now here in open court remits and releases to said defendants four Dollars and sixty seven and an half cents of said Judgement [sic] -

Alexander Wallace) N^{O} 67
)
vs) Trespass on the case
)
Sheldon Williams)

Come now the parties and said Defendant files his several demu rrer to ~~said~~ [sic] each of said counts in said Declaration which Demurrers are in these words towit (here insert them) to which Demurrers said plaintiff add his joinder in these words towit (here insert the Joinder) and thereupon after argument had said plaintiff confesses said Demurrer and by leave of the court withdraws his said Joinder and has leave to amend his said

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)
Oct. 18th)

Declaration and this cause is continued at plaintiffs cost of this term which cost he is ordered to pay within sixty days -

David F. Cole) N^{O} 70
)
vs) Debt
)
Wm T. Howard &)
)
Ethan A. Brown)

Come now the parties & said defendant Brown files his joinder to said Demurrer which joinder is in these words towit (here insert) and after argument heard the court a [sic] sustain said Demurrer, whereupon said plaintiff by leave of the court withdraws his said joinder and has leave to amend his said Declaration & this cause is continued untill [sic] the next Term at the cost of said plaintiff - which costs he is ordered to pay within sixty days -

Thayer H. Codding) N^{O} 71
)
vs) Assumpsit
)
Nathan Wyman)

Now come the parties and said plaintiff confesses said Demurrer and leave is given him to amend his said Declaration and this cause is continued at said plaintiffs cost of this term - which costs he is ordered to pay within sixty days -

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)
Oct. 18)

Samuel R. Mills) N° 72
)
vs) Assumpsit
)
Amasa Norton & others)

Now come the parties & said Defendants file their plea in these words towit (here insert) to said first count and their Demurrer (in these words towit (here insert) to said second count of plaintiffs Declaration to which plea said plaintiff adds his similitur in these words (here insert) (& his joinder to said Demurrer in these words towit(here insert joinder -) and thereupon said plaintiff confesses said Demurrer and withdraws by leave of the court his said joinder and has leave to amend his said Declaration and this cause is continued at plaintiffs cost of this Term; which costs he is ordered to pay within sixty days.

And Court adjourned untill [sic] tomorrow morning 8 Oclock -

Publicly read in open Court and Signed October the 19th 1838

C. W. Ewing

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October Term 1838

Fryday [sic] morning nine Oclock October 19th 1838 The Court met pursuant to adjournment present the same Judges and other offers as on Yesterday -

William Brown)
)
vs)
)
John Bower)

No 62

For value recd I assign the following payment to O. C. Ward

May 11th 1839 - William Brown -

Now com[e] the parties by their attorneys, and the attorney for the Defendant having withdrawn his appearance, and the defendant being three times called comes not, but herein makes default, whereby the plaintiffs Action remains unanswered and undefended. And it appearing to the satisfaction of the court by the sheriffs return upon the writ, that the same had been servd [sic] Ten days previous to the fi[r]st day of this Term which return are in these words (here insert them) And it also appearing to the court the Decliration [sic] in this cause had been filed in this court Ten days before the first day of the present Term - It is therefor [sic] considerd [sic] by the court now here that the said Plaintiff do recover of th e said defendant the sum of One Hundred and Twenty two dollars and fifty cents in ~~Debt~~ [sic] damages besides the costs and charges in this behalf expended -

Grand Jury Report)
)
October Term 1838) The Grand Jury for the body & County of LaGrange now come into court & make the following Report in writing - "October Term of the LaGrange County Session, 1838 in Grand Jury Room Oc^{t} 18th 1838. - The Grand Jurors in and for the Body of the County of Lagrange at its Session, Examind [sic] the prison of Said

p. 311 October Term 1838

County, and consider the same amply sufficient for the safe keeping of Prisoners

Samuel A. Howard)
)
Foreman)

2 - And said Grand Jury now also return here into open court sundry Bills of Indictment found by them as true bills and Signed by their foreman as such - and having no further business to transact are now discharged by the court.

It is ordered by the court now here that an attachment do issue against Griffin Smith for an alleged contempt of this court in failing to attend at the present Term of this court as a witness on the part of the State of Indiana in a certain case therein pending wherein said State was plaintiff and one Daniel Ludlow was defendant on an Indictment for Forgery in obediance [sic] to a subpoena heretofore servd on him for that purpose and that said Smith

Enter into recognizance upon said attachment in the sum of One hundred Dollars and surety in the like sum conditioned for his appearance on the first day of the next term of this court to answer to said alledged [sic] contempt -

James McConnell)
)
vs) Assumpsit
)
William F. Beevers)

Come now the parties and after argument heard said motiom for a new trial in this cause

p. 312 is overruled - Whereupon it is considered that said plaintiff do have & recover against the said defendant the sum of Two hundred and fifty four Dollars & forty five cents in Damages so assessed & found as afore, as also his costs & charges in this behalf expended.

David Jenkins) No 12
)
Stephen Kesler)
)
vs) Case
)
Gustavus A. Moore &)
)
John M. Anderson)

Now comes ~~William N. Elliot~~ [sic] Francis F. Jewett, one of the special Bail of said Moore in this cause & now here surrenders said Moore in open court to the sheriff in discharge of the recognizance of Special Bail in this behalf - It is ordered therefore that an Exhoneretur [sic] be

entered as to said special Bail upon the recognizance aforesaid which is done - And that said defendant More [sic] be and he is now ordered unto the custody of the sheriff of said county him to remain & be detained for the peri[o]d of twenty four hours & that unless said plaintiffs within that term charge him in Execution by his body that he be then discharged by said sheriff forthwith -

David Jenkins & Stephen Kesler	)	13
vs	)	Assumpsit
Gustavus A. Moore & John M. Anderson	)	

Comes now into

p. 313 open Court ~~William N. Elliot~~ [sic] Francis F. Jewett, one of the Special Bail of said Defendant Moore in this cause and now here on behalf of himself & his cosureties in this behalf surrenders the said Moore in open court to the sheriff of said county in discharge of his said recognizance of Special Bail and thereupon an Exhonereter [sic] is ordered to be entered upon said recognizance which is done - And it is further ordered that said sheriff take into his custody and there detain & safely eeep the said Moore ~~for the span of twenty four hours~~ [sic] & that unless the said plaintiffs shall charge him the said More in execution upon the Judgment in this cause within twenty four hours that said Moore be then

forthwith discharged

ndrew Ellison) 33.
)
vs) Debt on Appeal
)
Moses Chapman)

Now come the parties and by their agreement a Jury in this behalf is waived & this cause for trial thereof is by them submitted to the summary Determination of the court - And after hearing the proofs and allegations of the parties & argument of counsel the court do find for the plaintiff and assess his Damages as twenty six Dollars -

It is therefore considered by the court that said plaintiff do have and recover against the said defendant the sum of Twenty six Dollars in Damages as also his costs & charges in this behalf expended And the Defendant in mercy &c

p. 314 Alexander H. Newbold &) 34
)
John H. Story)
)
vs) Case.
)
David G. Haskins)

Now comes here into open court Samuel West and acknowledges himself replevin Bail and security for the said Defendant for the payment of said Judgment interest & cost & accruing cost within One hundred & Eighty days from the day of the rendition of said Judgment -

William Brown)
)
vs) Case
)
John Brower)

[sic] Now come the parties by their attorneys and the said defendants attorney says he is not advised of any defense to make to said action whereby the same remains undefended & unanswered - [sic]

Error

It is therefore considered by the court that the said plaintiff do have and recover against the said defendant One hundred and twenty two Dollars and fifty cents in Damages as also his costs in this behalf expended -

Moses Chapman)
)
vs) In Chancery
)
Andrew Ellison &)
)
Thomas Ellison)

Comes now the said Complainant & on his motion said Bill is Dismissed at his costs - It is therefore

p. 315 Considered that said defendants do have & recover against said complaint their costs in this vehalf expended - And leave is granted to the parties to withdraw their papers in this cause

Katharine Curtis)
)
vs) Bill for a Divorce
)
Henry Curtis)

Now comes the said complainant as also Thomas Johnson Esq^{r} prosecuting attorney and the said defendant being three times called comes not but herein makes default - and the said complainant now proves to the satisfaction of the court that publication of the pendancy [sic] of the Bill herein had been given to said Defendant by advertizement in the ~~South-bend~~ [sic] Goshen Express a public newspaper of general circulation printed & published in the Town of ~~Elkhart~~ [sic] Goshen ~~court~~ [sic] in Elkhart County in said State of Indiana three weeks successively sixty days before the first day of the present Term of this court in complyance [sic] with an order made by the clerk of this court in vacation - And the court now here having heard the proofs & allegations of the parties & deliverated [sic] thereon do order adjudge and Decree that the Bond of Matrimony ~~Be-and~~ [sic] heretofore existing between the said Complainant & the said Henry Curtis be and the same are hereby dissolved annuld [sic] and set aside to all intents and purposes as fully & completely as if the same had never been entered into & that said parties be & they are severally released & absolved therefrom

p. 316 (5th day) (Oct. 19) October Term 1838

and that said complainant do have & recover against said defendant her costs & charges in this behalf expended

William C. Tillman	)	No 6
	)	
vs	)	Bill for foreclosure
	)	
Lyman Mudge	)	
	)	
~~Daniel Tuttle~~ [sic]	)	
	)	
~~John~~ Bovee [sic]	)	

Now comes the complainant & the defendant being three times Solemly sic] called comes not, but herein makes default - & it appearing to the Satisfaction of the court by affidavit now on file in this Court that Said defendant has been duly notified of the pendency of said bill agreeably to the order of this court in this behalf, by publication for three weeks Successively in the Fort Wayne Sentinel a public newspaper of general circulation, at least Sixty days prior to the first day of the present term of this Court, it is thereupon ordered adjudged & decreed by this court that the matters & things in Said complainant's bill alleged & set forth be & they are hereby taken as confirmed, & the court here having ~~heard~~ [sic] duly inspected the Said bill, & exhibits & the allegations & proofs of the Said complainant do order, adjudge & decree ~~as factum~~ [sic] that ~~Said defendant do within~~ [sic] ~~days execute & deliver to Said complainant a quit claim deed of conveyance of the premises in Said bill~~ [sic] a quit claim deed of conveyance ~~agreeably to the~~ [sic] of the premises in Said bill mentioned be executed & delivered to Said complainant by a

commissioner to be appointed by this court, thereby conveying to Said
p. 317 complainant in fee-simple all the right title & interest of said defendant of in & to the premises in Said bill mentioned, & that Such Commissioner report his doings herein to this Court at it's [sic] next term & thereupon the court here appoint John B. Howe Such commissioner to make & execute Said deed of Conveyance & report as aforesaid -

Daniel Tuttle) No 3.
)
vs)
)
John Bovee)

Now comes the complainant, & the defendant being three times Solemly [sic] called comes not, but herein makes default, & it appearing to the Satisfaction of the court by affidavit now on file in this court that Said defendant has been duly notified of the pendency of said bill agreeably to the ~~prayer~~ [sic] order of this Court at it's last term by publication three weeks successively in the Ft. Wayne Sentinel a public newspaper of general circulation at least sixty days prior to the first day of the present term of this court, it is thereupon ordered adjudged & decreed by the court here that the matters & things in Said bill alleged be taken as confirmed & that Said defendant do pay to the Said complainant the Sum of two hundred & nineteen dollars the amount of principal & interest in Said note specified,

within sixty days from this date & that in default thereof ~~an execution do issue~~ [sic] the said defendant's equity of redemption of [ ] said premises be perpetually
p 318 barred & foreclosed & that an execution do issue to compel the payment of said Sum by distress & sale of said premises in like manner as in case of executions issued on Judgments at law -

Geo. F. Whitaker)
)
vs) In Chancery
)
John Spencer & others)

Comes now the said complainant and on his motion this cause is continued & an alias subpoena is awarded to be directed to the sheriff of Allen County - & leave is granted complainant to amend his Bill -

James Cummings)
)
vs) In Chancery
)
James McConnell)

This cause is continued with leave to complainant to amend his Bill - and ~~Alias~~ [sic] writs of Subpoena are awarded to the sheriffs of Lagrange & Noble Counties -

(Writs made out)

Ordered that on Indictments found at the present Term for forgery the Defendants severally be required to enter

into recognizance in the sum of three hundred Dollars with security in the like sum And that on all other Indictments found as aforesaid the Defendants enter into recognizance in the sum of Twenty five Dollars respectively with security in the like sum - & that writs of Capias adrespondendum & Subpoenas for the [ ] in other case issue forthwith

p. 319 5th day) October Term 1838
)
Oct. 19)

$13. Ordered that Francis F. Jewitt be allowed five dollars for five days service as bailiff to the Grand Jury at this Term & that Demick Harding be allowed four Dollars And William Ingram four dollars for their services four days each as Bailiffs at this Term

Let it be certified to the Board of County Commissioners of this county that Luther Newton & Ephraim Seely Esqr each servd [sic] five days each as associate Judges of this court at this Term

All causes pleas plaints and other matters herein pending and not otherwise disposed of are continued untill [sic] the next Term of this court.

And Court adjourned untill court in course -

Publicly read in open Court and signed October the 19th 1838.

C. W. Ewing

p. 320 [Blank]

p. 321

N^{O} 1

Nathan Meriman) vs John C. Kinney) debt on Transcript of a Judgment from a Justice of the Peace fil'd in the clerks office October 2^{d} A.D. 1838 Am^{t} $65.00

William M. Holmes Clerk P.T.

Samuel P. Williams Depty

N^{O} 2

Nathan Merriman) vs John C. Kinney) debt on Transcript of a Judgment from a Justice of the Peace fil'd in the clerks office October 2^{d} 1838 Am^{t} $65.00

William M. Holmes Clk P.T.

Sam^{l} P. Williams Depty

N^{O} 3

Nathan Merriman) vs John C. Kinney) debt on Transcript of Judgment from a [sic] a Justice of the Peace fil'd in the clerks office the 2^{d} day of October A.D. 1838 - Am^{t} $69.12

William M. Holmes Clk

S. P. Williams Depty

N^{O} 4

Nathan Merriman) debt on Transcript of a Judgment
)
vs) from a Justice of the Peace, fil'd
)
John C. Kinney) in the clerks office October 2^{d} A.D. 1838

Am^{t} 86.75

William M. Holmes Clk

S. P. Williams Depty

p. 322

N^{O} 1

Joshua Gale &) debt on Trnscript of a Judgment from
)
Sam^{l} P. Williams) a Justice of the Peace fil'd in the
)
vs) Clerks office this 16th day of October
)
Moses Chapman) A. D. 1838 - Am^{t} $77.61

William M. Holmes Clerk P.T.

S. P. Williams Dept

N^{O} 2

Joshua Gale &) debt on Transcript of a Judgment from
)
Sam^{l} P. Williams) a Justice of the Peace fil'd in the
)
vs) Clerks office this 8th day of October
)
Moses Chapman) A. D. 1838 Am^{t} $81.26

William M. Holmes Clerk P.T.

S. P. Williams Depty

N^{O} 3

Joshua Gale & Sam^{l} P. Willams vs Moses Chapman	Debt on a Transcript of a Judgment from a Justice of the Peace, fil'd in the Clerks office this 8th day of October 1838 Am^{t} $87.27 [sic] .17

W^{m} M. Holmes Clk P, T.

S. P. Williams Depty

p. 323 Transcript of a Judgment from Laport [sic] County, and State of Indiana - fil'd in this office this 1st day of November A. D. 1838 - W^{m} M. Holmes Clk P.T. S. P. Williams Depty

Please [sic] began [sic] and held on Monday the tenth day of April A. D. 1837 - at the court witin and for the county of Lapart, before the Honorable Samuel C. Sample, President Judge, of the ninth Judicial circuit of the State of Indiana, and Clinton Foster, and Gustavus A. Rose Esqrs associate Judges of said County, towit: -

Chandler Starr & Charles Hoffman vs Austin Chitman & Silas Lampson	Assumpsit -

Be it remembered that heretofore towit, on the Twenty fourth day of March, in the Year of our Lord one

thousand eight Hunderd [sic] and thirty seven, the Plaintiff in the above behalf by Miles & Enos their attorneys, fil'd in the clerks office of the Laport circuit court, their decleration [sic] in the words and figures following to wit: - ate of Indiana Laport county, Laport circuit of the Term of April, in the year of our Lord one thousand, eighty Hunderd and thirty seven, Chandler Starr, and Charles Hoffman vs. Austin Chitman & Silas Lampson - Laport- County ss, Chandler Starr and Charles Hoffman plaintiffs in this cause, complain of Austin Chitenden [sic] & Silas Lampson, defendants in this cause, being in custody &c. - For that whereas, the said defendants, by and under the name, stile [sic] and firm of Chitrenden & Lampson, heretofore to wit, on the Twenty seventy day of May, in the year of our Lord one thousand eight Hundred and thirty six, at New York towit at Michigan City, in the county of Laport, and within the jurisdiction of this court

p. 324 made their certain promissory note in writing bearing date the day, and year, last aforesaid, and thereby then and there, promised, to pay six months after the date thereof to the said plaintiffs, by the name of Starr & Hoffman on order, the sum of seventy hundred seventy one Dollars and eighty seven cents (meaning) for value received, and then and there delivered the said promissory note to these Plaintiffs by means whereof and by force ~~and~~ [sic] of the Stattute [sic] in such cases provided, the said defendants, then and there become liable

to pay to the said Plaintiffs the said sum of mony [sic] in the said promissory note specified according to the tenor, and effect of the said promissory note, and being so liable, they the said defendants in consideration therefor afterwards towit, on the day and year last afforesaid [sic], at the place last aforesaid undertook, and there and thin [sic], faithfully promised the said plaintiffs, to pay them the sum of money in the said promissory note, specifieid [sic] according to the tenor and effect thereof. Yet the said defendants not regarding their said promise, and undertaking so by them, made as aforensaid [sic], but contriving to deceive and defraud the said plaintiffs in this behalf, have heretoto refusd [sic] and stile [sic] do refuse to pay the said Plaintiffs the said sum of money in the said promissory [note] specified, or any part thereof, to the damage of the plaintiffs, Two Thousand Dollats, and Therefor[e] they bring suit &c - (Signd)[sic] Wells & Enos Attys for pltfs

And afterwards towit: - at a Term of the Laport circuit Court, began [sic] and held at the court House in the Town of Laport
p. 325 within and for the county of Laport, and State of Indiana, on Monday, the tenth day of April in the year of our Lord one thousand eight Hundred and thirty seven before the Honorable Samuel C. Sample, President Judge of the ninth Judicial Circuit of the State of Indiana, and Clinton Foster, and Gustavus A. Rose Esquires Associate Judges of the said Laport

Circuit court, on Wednesday the thid [sic] Judicial, day of the said April Term of said court, come the Plaintiffs by counsil [sic], and the defendants, Austin Chittenden & Silas Lampson, being three times called to defend the Plaintiffs Action, come not but herein make default, whereby the said Plaintiffs Action is not defended, and it appearing to the satisfiaction of the court the Decliration [sic] had been fild [sic], and the writ issud [sic] in this behalf, had been serv'd Ten days befire tge furst day of the Present Term of this court, and thereupon come the defendants by counsil [sic], and admit that the said promissory note, in the plaintiffs Decliration [sic], mentioned, was Executed in the State of New York and that by the Law of the said State of New York, the Rate of Legal interest is seven per cent per annum -

'Tis therefore considerd by the court that the said Plaintiffs do recover of the said defendants, the sum of One thousand Eight Hundred and Eighteen Dollars and thirty seven cents in damages, besides their cost and charges, in this behalf laid out and expended -

State of Indiana)
)
Laport County) SS I William Hawkins Clerk of the circuit court of the county of Laport and State of Indiana do certify the above and foregoing is a full True and correct Transcript of the proceedings and Judgment had in said county,

p. 326

in the above cause as appears on the Records of said court in my office. - In testimony whereof I hereunto set my Hand and affix the seal of said court ~~this~~ Ŧ [sic] at Laport this 25th day of September A.D. 1838

(Seal) Wm Hawkins Clerk

Know all men by these presents that we Austin Chittenden, Silas Lampson, & David Spraige of the county of Laport and State of Indiana, are held and firmly bound unto Chandler Starr and Charles Hoffman in the sum of three thousand six Hundred Dollars 74 cents for the payment of which well and truly to be made, we bind ou[r]selves, our heirs, executors, administraters [sic], jointly, severally, and firmly by these presents - Signd with our hands and seald with our seals, this seventy day of May A. D. 1837 -

The condition of the above bond is that Whereas, by the consideration of the Laport circuit court, on the twelfth day of April 1837, Chandler Starr & Charles Hoffman, recoverd a judgment against the said Austin Chittenden and Silas Lampson, for the sum of Eighteen Hundred and Eighteen Dollars, 37 cents, debt and damages, besides the sum of Eight Dollars 17 cents in costs, as by the Record thereof in said court will now fully appear, - and whereas, a writ of Fieri Facias has been duly issued out of the said court, by

which the Sheriff of said County, is commanded that of the goods, chatels [sic], Lands, and Tenemets [sic] of the said Austin Chitenden and Silas Lampson to make the sum aforesaid, which said Execution is by the Clerk of said court Endorsd
p. 327 "Repleviable." Now should Austin Chuttenden, Silas Lampson, & David Sprange, at the Expiration of one Hundred and Eighty days, from the 12th day of April 1837, pay and satisfy the said sum of debt and damages together with interest, and cost and all accruing costs, hereafter, then the above obligation is to be null and boid: - otherways to be and remain in full force and virtue in law - Austin Chitten [sic] §SEAL§

David Sprague §SEAL§

Fil'd and Recorded May 17th 1838 -

State of Indiana)
)
Laport County) SS. I Wm Hawkins, Clerk of the Circuit court of the county of Laport and State of Indiana, do certify that the above and foregoing is a full true and correct copy of the Replevin Bail Bond, fil'd in my office and Recorded in the order Book of the Laport Circuit Court, on the 17th day of May A. D. 1837 - foresaid [sic], in the above cause - In testimony whereof I have hereunto set my hand and affixd the seal of said court at Laport this 25th day of Septem A. D. 1838 -

(Seal) Wm Hawkins Clk

Gustavus A. Moore) Si fa.
)
vs) on Judgment from Justice of the Peace
)
Williams Jenkins) to Hold Real Estate -

Be it remember'd that on the Tenth (10th) day of November, A.D. 1838, the said Plaintiff fil'd in the office of the clerk of the Lagrange Circuit court the Transcript of a judgment of a Justice of the Peace for the sum of thirty three dollars and ninety four cents, - in the above entitled cause -

p. 328 Robert Bell)
)
vs) Judgment from Justice of the Peace
)
Jonas Tillipaw) to Bind Real Estate -

Be it Rememberd that on this 24th day of Nov A. D. 1838 the said Plaintiff fil'd in this office a Transcripf of Judgment ~~of~~ [sic] against said defendant for the sum of Sixty one Dollars, and Twenty six cents -

James Skaden) Sci. fa.
)
vs) Judgment from Justice of the Peace
)
Thayer H. Codding) to bind Real Estate -

Be it rememberd that on this 26th day of November. A.D. 1838 - the said plaintiff fild in the office of the Clerk of the Lagrange County circuit court, a Transcript of a Judgment against said defendant for the sum of Fifty one

dollars and Twenty cents - S. P. Williams Dpt Clerk

R. Darlington)
)
vs) Sci fa - Judgment from
)
Daniel Wait) Justice of the Peace to hold real estate

Be it rememberd that on this 20th day of Dec. A.D. 1838, the said Plaintiff fild in the office of the Lagrange Circuit cou[r]t, a Transcript of a Judgment from a Justice of the Peace against said Defendant for the sum of Fifty five Dollars and sixty seven cents

$55.67 S. P. Williams Dpt Clerk

p. 329 William M. Holmes)
)
vs)
)
Joseph Todd)

Sci fa - On Transcript from
Justice of the Peace
to bind real estate -

Be it Remembered that on this 20th day of December A.D. 1838, the plaintiff fild in the office of the Lagrange Circuit Court a Transcript of a Judgment from a Justice of the peace for the sum of Twenty one Dollars and Twenty cents in the above entitled cause S. P. Williams Dpt Clerk

James McConnel)
)
vs)
)
Brutus Stockwell)

Sci fa. on Transcript from
Docket of a Justice of the Peace
to bind real Estate -

Be it rememberd this 20th day of Febuary [sic]

A.D. 1838, The said plaintiff fild in this office, a Transcript of a Judgment from the Docket of a Justice of the Peace ~~for~~ [sic] against the said defendant for the sum of Sixty five Dollars and twenty three cents - S. P. Williams Dpt Clerk

p. 330 The State of Indiana)
)
Supreme Court) November Term A.D. 1838

Present the Hon[1] Isaac Blackford)
)
" Charles Dewey)
)
" Jeremiah Sulivan)

Joseph Carr)
)
vs) In Error to the Lagrange Circuit Court
)
Hugh Allison)

At this time come the parties by their council [sic] and the Court being sufficiently advis'd of the premises give the following opinion and Judgment pronounc'd by Judge Blackford -

Debt upon a writing obligatory dated in Febuary [sic] 1933 in the penalty of $500 Dollars

The decleration [sic] states the condition of the Bond to be, that if Carr should relinquish to Allison his right to enter a certain tract of Land, and should not enter it himself then Allison was to pay Carr, the value of the improvement & natural advantages on the land

to be valued &c. It is then averred that the plaintiff relinquish'd his right of entry to the defendant and that the defendant entered the Land but refused to pay &c

General demurrer to the decliration [sic], and Judgment for the defenant.

This is not a case of a sale of a right of Premiption [sic]; but if it were the sale could not on that ground be sustain'd - The preemption law which was in force when this contract was made did not authorize the transfer of Preemption right - before the issuing of a patent fof the Land -

We understand by the decliration [sic], that the land in question, belong'd to the United States, and was subject to be enterd at the Land office, by the first person who should apply for it, and that the
p. 331 bond sued on was given in consideration ~~of~~ [sic] for the improvement on the Land, and of the plaintiffs promise not to enter the Land -

We consider the improvement which was a part of the Land, was no valid consideration for the land. The decliration shows that the Land with the improvement belong'd to the United States and that the plaintiff had no lawfull [sic] interest in either of them - The agreement therefore to pay in consideration of the improvement was nudum factum [pactum] - The Statute of 1834 relative to

the sale of improvement, on public Lands, does not effect [sic] this case, as the Statute was not in force when the contract was made - The plaintiffs promise not to enter the land was no consideration for the Land - It is ~~not~~ [sic] the interest of the public that the United States Land should be sold, and therefore the contract of an individual not to purchase a part of those Lands is void, as against public policy -

It is therefore considered by the court that the Judgment in the circuitbe in all things affirm'd, which is orderd to be certified to said court -

The State of Indiana ss

I Henry P. Coburn Clerk of said Supreme Court do certify that the foregoing is a full true and complete copy of the opinion and judgment of the said court in the above entitled cause

In testimony whereof I have hereunto set my name and affixd the seal of said court at

(Seal) Indianapolis this 31st day of Janry A.D. 1839

H. P. Coburn C.S.C.

p. 332 Richard H. Gains)
)
vs) Sci facias
)
David G. Haskins)

on Transcript from Docket of Justice of the Peace -

Be it rememberd that on this 27th day of Feby A. D. 1839 the said Plaintiff fild in the office of the Clerk of the Lagrange circuit court a Transcript of a Judgement from the Dkt of a Justice of the Peace fot the sum of Eighty Eight Dollars and twelve cents, and interst [sic] thereof this amt from 8th if Decr 1838 at 6 per cent till pd and cost in said Justices court Taxd at one & 17/100 Dollars on which an execution has been granted & return'd, by the officer Endors'd "no goods, or chattles [sic] found whereon to levey [sic]" -

Sylvanus Lamb)
)
vs) Sci ga. on Judgt from
)
Lyman McNeil) Justice of the Peace

Be it remberd [sic] that on this 27th day of Febuary [sic] the said Plaintiff fil'd in the office of the Clerk of the Lagrange Circuit Court the Transcript of a Judgment from the Dkt of a Justice of the Peace for the sum of One Hundred Dollars &c at 22.01 and interst [sic] on the same from the 5 day of Feby, 1839, at 6 per cent - on which an Execution has been granted and retd by the constable endors'e "No goods or chattles found whereon to Levy -

James S. Skader)
)
vs) Sci fa. on Transcript from Dkt of a
)
T. H. Codding) Justice of the peace

Be it remembered that on this 8th day of March A. D. 1839, the said plaintiff fil'd in the office of the Clerk of the Lagrange circuit Court a Transcript of a Judgment from the Docket of a Justice of the Peace for the sum of fifty one & 25/100 Dollars, on which Judgment an Execution has been issued and returnd by the officer endors'd No goods or chattles found whereon to Levy -

Nathan Merriman)
)
vs) Sci fa on Transcript
)
Danil [sic] Wait) from Dkt of a J of the Peace

Be it rememberd, that on this 14th day of March A. D. 1839 The said Plaintiff fild in the office of the Clerk of the Lagrange Circuit Court a Transcript of a Judgment from the Docket of a Justice of the Peace against the said Defendant for the sum of thirty Eight Dollars with interest at 6 per cent from the 19th day of May 1838 - and cost of suit - on which an Execution has veen returnd by the constable, Endors'd "No goods found whereon to Levy -

J. for .62 1/2
C. " .50

Nathan Merriman)
)
vs) debt on Transcript from Docket of a
)
N. Wells) Justice of the Peace to hold real Estate -

Fild in the clerks office 14th March 1839, by the Plaintiff for the sum of $23.90 - & inst from 19th dat if January A.D. 1839 -

S. P. Williams Dpt Clk

J. for .75

C. " .62

p. 334 George Deal)
)
vs) Sci fa. on Transcript from
)
T. H. Codding &) Dkt of Justice of the Peace
)
Elbridge Green)

Be it rememberd that on the 15th day of March A.D. 1839, the Plaintiff in this cause fild in the office of the Clerk of the Lagrange circuit court a Transcript of a Judgment from the Dkt of Leonard Appleman, Esqr a Justice of the Peace in said County, against the above nam'd defendants for the sum of thirty dollars and 14 cents with interest thereon at the rate of six per vent from the 20th day of August 1838 - and cost of suit. - On this an Execution has been issued, an[d] returnd by the constable endors'd No goods or chattles found whereon to Levy

J. for 2.00

C. " 2.64

Nathan Merriman)
)
vs) Sci fa. on Transcript from
)
Jonathan G. Wait) Docket of a Justice of the Peace

Be it rememberd that on this first day of April 1839 the said plaintiff fild in the office of the Clerk of the Lagrange Circuit Court a Transcript of a Judgment against the said defendant for the sum of Fifty Dollars and fifty eight cents with interest on this am.^{t} from the 27th day of Sep^{t} 1838, at 6 per cent and cost of this suit Tax'd at 25 cents, on which an Execution has been isued [sic] by a Justice of the Peace and returnd by the proper oficer [sic] endors'd "No goods or Chattles found whereon to Levy -

J. for .63

C. " .28

p. 335 Thomas P. Spaulding) vs Brutus Stockwell) Debt on Transcript of a Judgment from the Docket of a Justice of the Peace to bind real Estate -

Be it rememberd that on this 11th day of April A.D. 1839, the said Plaintiff fil'd in the office of the Clerk of the Lagrange Circuit Court a Transcript of a Judgment against the said defendant for the sum of Eighty Eight and 20/100 Dollars -

W^{m} M. Holmes Clerk P.T.

Sam^{l} P. Williams Dpt Clk

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April Term 1839

At a Term of the circuit court of the County of LaGrange in the State of Indiana began [sic] and held at the Court house in Lima in said [county] on Monday the twenty second day of April in the year of our Lord one thousand eight hundred and thirty-nine, Present the Honorable Charles W. Ewing president and presiding Judge of the Eighth Judicial Circuit of the State of Indiana, and Luther Newton and Ephraim Seely, Esquires, Associate Judges [of] circuit court Alla [sic] present Samuel P. Williams Deputy Clerk of said court and Peter L. Mason Sheriff of said County of LaGrange

Peter L. Mason Sheriff of said county now brings into Court the following pannel [sic] of Grand Jurors, summon'd by virtue of a venire Facias, heretofore to him directed to wit - ~~Joshua T. Hobbs--Who is appointed by the court as such~~ [sic] Joshua Gale, Robert Dayton, Philo Taylor Horace Tuttle, James Ellis, Sidney Keith [?], Erastus Sturgess, Jacob D. Groves, Orange Potter, Nathan Bishop Tunis Spears, Alix T. Wallace, Sam[l] Parker & ~~Henry~~ [sic] David Sockman[?] fourteen in number and no more of said persons nam[d] in said venira [sic] facias answering to their names when calld. The said Sheriff now by order of the Court summons and places on the pannel the following byStanders towit: Francis F. Jewitt, Hiram L. Johnson, Simeon Keith & Hushua T. Hobbs four in number, who together with the aforesaid fourteen

make eighteen good and Lawfull [sic] men discreet freeholders & housholders [sic] of the county of Lagrange, and thereupon the court appoint said Joshua T. Hobbs foreman of said grand [jury] who is now sworn as such and said grand jurors aforesaid ~~who~~ [sic] being empaneld, charg'd & sworn, well and truly to enquire within and for the body of the county of Lagrange retire to deliberate on their duties under a Sworn officer of this court -

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~~State of Indiana~~

~~vs~~ [sic] Now at this time comes John W. Wright

~~W^m B. Fowler~~ Esqr. Prosecuting Attorney for the eighth Judicial circuit of the State of Indiana and produces his commission as such, with his oath of office endorsed thereon -

State of Indiana) No 1
)
vs) Indictment for Larceny
)
W^m B. Fowler)

Now at this time comes John W. Wright Esqr prosecuting the Pleas of the State of Indiana, and sais [sic] that He will no further prosecute the said defendant on the indictment aforesaid. It is therefore considerd by the court, that the said defendant, as to said indictment, go hence without day

court, that the said defendant, be in and
hence without day

State of Indiana) No 2
)
vs) Indictment for Forgery
)
Josiah Jeromes)

Now at this time comes John W. Wright Esqr prosecuting the please [sic] of the said State of Indiana. and moves the court for an allias [sic] capias in this behalf. directed to the Sheriff of this county. and this cause is continued

State of Indiana) No
)
vs) Indictment for Forgery
)
Daniel Ludlow)

Now at this time comes John W. Wright prosecuting the pleas of the State of Indiana, and moves the court for an allias capias, directed to the sheriff of Lagrange County, and this cause is continued

p. 338 1st day 22nd April Term A.D. 1839

State of Indiana) No 7
)
vs) Indictment for Assault & Battery
)
Joshua Hauss)

Now at this time comes John W. Wright prosecuting the plase [sic] of the said State of Indiana, and moves the Court for an Alias Capias directed to the sheriff of this county and this cause is continued -

State of Indiana)
)
vs) Sci Fa
)
Daniel Ludlow)

Comes now John W. Wright who prosecutes the pleas of the State in this behalf and the Scire Facias heretofore issued in this cause having been returned Not Found on motion of the said prosecuting attorney an alias Scire Facias is awarded and this cause is continued

State of Indiana)
)
vs) Sci fa
)
Bruce Stockwell)

Now comes John W. Wright prosecuting the pleas of the said State of Indiana in this behalf, and asks leave to amend the Scirie [sic] facas [sic] in this case, which leave is granted by this court, and this cause is continued

State of Indiana) N^{O} ø [sic] 7
)
vs) Indictment for official negligence
)
Joshua T. Hobbs)

Comes now John W. Wright who prosecutes the pleas of the state in this behalf as also the said defendant in his own proper person And thereupon the said defendant by David N. Colerick his Attorney now

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moves the court to quash said indictment, which motion the court sustain and quash said indictment. It is therefore considered by the court here that the said defendant as to said indictment, go hence without day.

State of Indiana)
)
vs) Indictment for Official Negligence
)
Joshua T. Hobbs) as Clerk

N^{O} 6 [sic] 5

Now at this time comes John W. Wrighy Esqr prosecuting the pleas of the State in this behalf as also comes the said defendant in his own proper person, and thereupon the said defendant by his Attorney David H. Colerick moves the court to ~~te~~ [sic] quash said indictment and the court being sufficiengly advised in the premises do sustain said motion as to the second count of said Indictment, and thereupon said prosecuting attorney saith he will no further prosecute said defendant ~~as the~~ [sic] on the said second count of said indictment. And thereupon the said defendant being arraigned upon the ~~said-seeond~~ [sic] first count of said indictment, and it being demanded of him how he will acquit himself thereof for plea thereto saith that he is guilty in manner and form as he stands charged in the said first count of the said indictment whereupon the court assess the said defendants fine at the sum of fifty cents

It is therefore considered by the court here that the said defendant do make his fine to the State of Indiana in the sum of fifty cents & satisfy and pay the costs of this prosecution and stand committed to the custody of the sheriff until said fine and costs are paid or repleveid [sic] ~~&-def~~ [sic]

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April Term A. D. 1839 -

State of Indiana) 14
)
vs) Attachment for Contempt
)
Griffin Smith)

Now at this time comes John W. Wright prosecuting the pleas of the state also comes the said defendant in his own proper person, and being by the court calld upon to purge himself from the alledged [sic] contempt of th e court in not answring [sic] to a subpoena heretofore served upon Him, and the court after hearing his excuse for not answering unto said supoena [sic] ~~do~~ [sic] find Him not guilty. It is therefore considered by the court that the said defendant, as to the said Attachment do hence without day

Sarah Paxton) 4
)
vs) Bill in Chancery for Divorce
)
Robert Paxton)

Now comes John W. Wright Esqr prosecuting

the please [sic] of this State. Also comes tbe said Complainant by her Attorney ~~John B. Howe~~ [sic] Thereupon the said complainant dismisses this suit at the platffs [sic] costs - It is therefor [sic] considered by the court that the said said [sic] defendant do recover of the said complainant his costs and charges in this behalf laid out & expended

Caroline Baldwin) 13.
)
vs) Bill in Chancery for Divorce
)
Allen Baldwin)

Now at this time comes the s.^{d} complainant by her Attorney E. B. Smith Esqr and on his motion this cause is continud [sic] with Leave to Amend Bill

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April Term A. D. 1839

Elizabeth Fowler) 14
)
vs) Bill in Chancery for Divorce
)
W^{m} B. Fowler)

Now at this time comes the said complainant by her Attorney Elias B. Smith and on his Motion this cause is continued with leave to Amend said Bill.

And Court adjourned untill [sic] 8 O'clock tomorrow morning -

Publicly read in open Court and Signed April the 23^{d} 1839

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Tuesday Morning 8 Oclock April 23d the Court met pursuant to Adjournment, present the Same Judges and other officers as on Yesterday -

On Motion of E. M. Chamberlain Esqr Wm H. Combs is admited [sic] as Attorney and Counselor at Law at this Court and is sworn as such -

Jedediah Groves) No 85
)
vs) Trespass on the Case
)
John B. Clark)

Comes now the defendant by his Attorney Colerick & Combs and on the sugustion [sic] to the Court that the writ in this case as well as the return indorsed [sic] thereon was defective.

85. Jedediah Groves)
)
vs) Trespass on Case on Promises &c
)
John B. Clark)

Now comes Colerick & Combs atty for said Clerk [sic] and moves the court, amicus curia to quash the writ [sic] in this behalf for defects therein and thereupon the court on inspection of said writ sustains said petition, and

quashes said writ, and ~~said~~ [sic] J. B. Howe Esqr attorney for said Groves asks the Court for an alias writ in this be- [sic] half, and it is awarded and and [sic] this cause is continued at costs of said Groves -

On Motion of John B. Howe Esqr. Robert L. Douglass Esqr is admited [sic] Ex Gracie [sic] as an Attorney at Law to practice in this Court - and is Sworn as such

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April Term A. D. 1839

James Rolf)
)
vs) N^{O} 6.
)
Hiram Humphery) debt on writing obligatory

Now at this time comes the said ~~defendant~~ [sic] plaintiff, and the said defendant being three times solemly [sic] calld comes not, but herein maks [sic] default, whereby the said plaintiffs action remains unanswerd and undefended and it appearing to the satisfaction of the court that the writ in this case had [been] served ten days previous to the first day of this term, which writ & return are in these words (here insert them, and it also appeaing [sic] to the court that the the [sic] decleration [sic] in this case had been fil'd ten days previous to the first day of this cout [sic] - It is therefore considerd by the court here that the said plaintiff do recover of the said defend-

ant the sum of Fifty Dollars Dollars [sic] in debt [sic], besids [sic] the cost of this suit laid out and expended

Thomas P. Curtiss)
)
vs)
)
Joshua Weeks)
)
Edmund Littlefield)
)
David Stevenson)

7

Trespass

Now at this time come the parties, and by their agreement this cause is continued till the next term

Elias B. Smith)
)
vs)
)
James Beloat)
)
John Belot)

10

Trespass on the Case

Comes now the plaintiff and ~~on his motion~~ [sic] dismisses this suit, at his own costs, which he is orderd to pay in 60 days -

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Elias B. Smith)
)
vs)
)
David Elmore)

11

Now at this time comes the said plaintiff

and on his motion this cause is dismiss'd at the said plaintiffs cost, which he is orderd to pay in sixty days

John VanGelder)
)
vs)
)
George F. Whitaker)

19

Debt

Now comes the said defendant, and the said plaintiff being three times solemly [sic] call'd comes not but herein makes default, and on motion of said defendant a non suit is granted against ~~defendant~~ [sic] Him - It is therefore considered by the court here that the said defendant do recover of the said plaintiff his costs and charges in this behalf laid out and expended -

Albert Andrews)
)
vs)
)
George Ray)

N^{O} 21

in Assumpsit

Now comes the said plaintiff and on his motion this cause is continued for process -

Charles Wardell)
)
vs)
)
Richard H. Fury)
)
Joseph W. Hancox)

N^{O} 25

Debt

Now comes the said Plntff by his Attorney O. C. Word, and on his motion this cause is continued -

p. 345

April Term A.D. 1839 -

Collin H. Paquith)
) N° 28.
Mortmer Dellilliken etal)
)
vs)
) In Assumpsit
James Degraph)

Comes now the said plaintiffs and on their motion this cause is continud sic] for process -

Charles Barnum &)
) N° 29.
Henry Barnum)
)
vs)
) Assumpsit
Albert Powell &)
)
David G. Haskins)

Comes now the said plaintiffs & on their motion this cause is continud

Alex Wallace)
) N° 30
vs)
) Trespass on the case
Shelden Williams)

Now at this time comes the said plaintiff, and the said defendant being three times caled [sic] comes not but herein makes default - It is therefor [sic] considerd by the court that the said defendant do recover of the said plaintiff the costs and charges in this behalf laid out and expended [sic]

State of Indiana) N^{O} 4
)
vs) violating Estray Laws
)
Benj Blair)

Comes now John W. Wright Esqr who prosecuts [sic] the pleas of the state in this behalf, as also comes the said defendant in his own propper [sic] person, and thereupon the said defendant by Colerick & Cooms, his Attornies [sic], now moves the court here to quash said indic^{t} which motion the court sustain and quash said Indictment - It is therefore

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considerd by court now here that the said defendant, as to said Indictment go hence without day

David F. Coles) N^{O} 31
)
vs) Debt
)
W^{m} F. Howard &)
)
Ethan A. Brown)

Now at this time come the said plaintiff by his Attorney E. B. Smith and on his motion this cause is ~~continued~~ [sic] dismissed at his ~~costs~~ [sic] own cost - It is therefor [sic] orderd by the court here that the said defendant do recover of the said Plaintiff his cost & charges in this behalf laid out and expended

T. H. Codding) N^{O} 32
)
vs) Assumpsit
)
Nathan Wegman)

Comes now the said plaintiff and on his motion this caus[e] is dismiss'd at his the said plaintiffs cost - ~~It is therefor considerd by the court here that the~~ [sic] which he is orderd to pay in ninety days

Samuel R. Mills) N^{O} 33
)
vs) Assumpsit
)
Amasa Norton)
)
Oliver Smith &)
)
David Stephenson)

Now at this time comes the said plaintiff, and on motion dismisses this suit at his own costs, ~~which He is orderd to pay in Ninety days~~ [sic] It is therefor [sic] considered by the court that the said defendants recover against said plaintiff their costs & charges in this behalf herein laid out & expended

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Jno Woodruff) N^{O} 34
)
vs) Sci fa on Transcript
)
Jeremiah Case &)
)
Nathaniel O. Archer)

Comes now the plaintiff and on his motion this cause is continud [sic] for process -

Spear & Patten	)	N^{O} 36
vs	)	Trespass on the case
Thomas MConnell & Isaac Spencer	)	

Comes now the ~~parties~~ [sic] ~~plaintiff~~ [sic] defendants in this cause, and the plaintiff having been three times solemly [sic] calld come not and having faild to appear and prosecute their said suit, on motion of the said defendant a non suit is granted against Him, and ~~they~~ [sic] He is orderd to pay the costs in this behalf in sixty days -

Edward Hannigan	)	37
vs	)	Trespass on the case
H. W. Wood	)	

Come now the parties and the said defendant files his plea in these words (here insert them) and day is given -

W^{m} J. Fitch	)	N^{O} 39
vs	)	Debt appeald [sic] -
Nelson Eash	)	

Now comes the said defendant, and the plain-

tiff being three [times]

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somemly [sic] called comes not, and having faild to appear and prosecute his suit on motion of the defendant a non-suit is granted against Him - and it is orderd by the court now here that the said plaintiff pay the costs and charges in this action in sixty days

Seely Benham & Mary Benham vs James Benham — N^{O} 42 — Trespass on the Case

Comes now the plaintiff in this cause and on his motion this cause is dismiss'd at this own cost, which he is orderd to pay in sixty days

Seely Benham Mary Benham vs Shedrick [?] Benham Experience [?] Benham — No 43 — Trespass on the case

Comes now the plaintiff and on his motion this cause is dismissd at his own costs, which he is orderd to pay in sixty days

Seely Benham)
)
Mary Benham)
)
vs)
)
John Benham)

44

Comes now the plaintiff and on his motion this cause is dismiss'd at his own costs, which He is orderd to pay in sixty days -

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John Hale)
)
vs)
)
Joseph Caswell)

N^{O} 45

Debt on appeal

At this time ~~neither of the parties~~ [sic] both parties being call^{d} & failing to apear [sic] appearing, this cause is dismiss'd

Seeley Benham)
)
May Benham)
)
vs)
)
Shedrick Benham)
)
Experience Benham)
)
James Benham)

N^{O} 46

Trespass on the Case

Now at this time comes the plaintiff, and on his motion this cause is dismiss'd at his own cost - which he is orderd to pay in sixty days -

Elias B. Smith) N° 47
)
vs) Assumpsit
)
Robert Vanderberg et al)

Comes now the plaintiff in this cause and and [sic] Moves the court ~~te~~ [sic] for leave to file a new decleration [sic] in the cause, which leave is granted and day is given - the decleration heretofore fild having been lost

George Wolcott) 48
)
vs) Debt and damage on appeal
)
Elam Hill)

Comes now the plaintiff in this cause, and ~~di~~ [sic] on his motion this cause is ~~continud~~ [sic] dismiss'd at his cost = It is therefore considerd by the court now here that the said defendant do recover of the said Plaintiff his costs & charges in this behalf laid out & expended -

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George Wolcott) 49
)
vs) Trespass on the case on appeal
)
Elam Hill &)
)
Moses J. Hill)

Comes now the said plaintiff and on his mo-

tion, this cause is dismiss'd at his own cost - It is therefore considerd by the court that the said defendant do recover of the said Plaintiff his cost & charges in this behalf laid out and expended

Rufus Bullock) N^{O} 52
)
vs) writ of F. Attachm.^{t}
)
John T. Hale et al)

Comes now the said Plaintiff by his Attorney Smith & Howe and on his motion this cause is continud [sic] for Publication ------ in the fort Wayn[e] Sentinel

(discontinuance on Record May 6, 1839)

Silvanus Lamb) N^{O} 57
)
vs) Sci fa on Transcript
)
Lyman McNeil)

Comes now the said plaintiff by his Attorney O. C. Ward Esqr and on his motion this cause is continudm and an allias [sic] ~~Capias~~ [sic] Scire facias is awarded to the Sheriff of this county -

W^{m} Hall) N^{O} 60
)
vs) Debt on appeal
)
Tunis Spears)

at this time the parties being three times somlly [sic] call^{d} ~~comes~~ [sic] neither ~~of the parties~~ [sic] appearing in this suit it is dismiss'd ~~at the cost of the plaintiff~~ [sic]

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Ignatus H. O'Ferrall) N^{O} 62
)
for the use of N. Merriman)
)
vs) Foreign Attachment
)
James Brewster)

Comes now the Plaintiff in this suit, and on his motion this cause is continued till the nexy term of this court

Benj Green) N^{O} 65
)
vs) Debt ~~&-damage~~ [sic]
)
Silas Powell &)
)
John C. Kinney)

Comes now the plaintiff in this cause and on his motion this sut [sic] is dismiss'd at his own cost. Which he is orderd to pay in 60 days

W^{m} M. Holmes) N^{O} 70
)
vs) Sci fa on T.
)
Joseph Todd)

Now at this time comes the Plaintiff, and the defendant being three times solemly [sic] calld comes not but herein makes default. Whereby the said Plaintiffs [sic] action remains unanswered and undefended and it appearing to the satisfaction of the court that on the 20th of Decth 1838 said Transcript was fild in the office of the clerk of

[sic] Stricken out

this court by which Transcript it appears that on the day of 1838, said Plaintiff recoverd a judgment against defendan[t] before Esqr a Justice of the [sic] Peace in said county for the sum of Twenty one dollars and twenty one cents - together with costs of suit rendered in favour of said Jolmes and that an execution had isued [sic] by said Justice of the Peace against the goods & chattles of the said defendant, which was returned no - [sic]

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goods or chattles found, and it appearing to the satisfaction of the court that this writ had been served ten days previous to the first day of the present term of this court - as appears from the writ and the offiers return thereon, which writ & return are in these words (here insert them) [sic] It is therefore considerd by the Court the the [sic] said Plaintiff do have execution against the said defendant for [sic] the sum in said judgment and Sci facias specified, and that He recover of said defendant his costs and charges in this behalf laid out and expended

N. Merriman) 71
)
vs) Sci fa
)
Nicholas Wells)

[sic] at this time comes the said Plaintiff and the said defendant being three times solemly [sic] call'd comes [sic] not, but herein makes default, whereby the said Plaintiffs

action remains unanswerd and undefended. And it appearing to the satisfaction of this court that on the 14 day of March 1839 the said Plaintiff fild in the county clerks office [sic] Transcript of a Judgment against said defendant for the sum of twenty three Dollars and Ninety cents, together with costs [sic] of suit in this judgment- and that an Execution had been isued [sic] by s^{d} Justice in this case, against the said defendant, which was returnd by the officer, No goods and chattls [sic] found, and it appearing to the Court that the writ in this case had been served ten days previous to the first day of this term, as appears from the writ & officers return thereon which writ and return are in these

Strike out [sic]

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words (here insert them) It is therefo[re] considerd by the court that the said Plaintiff N. Merriman do have execution [sic] against the said defendant for the sum in said Judgment and [sic] Sci facias specified, besides the cost and charges in this behalf laid out and expended

Gale & Williams) N^{O} 72
)
vs) Sci fa
)
M. Chapman)

Comes now the plaintiffs in this cause and on Motion dismiss this suit at their own cost which they are orderd to pay in sixty days

Gale & Williams) 73
)
vs) Sci fa
)
M. Chapman)

Come now the plaintiff and on motion dismiss this cause at their own cost, which they are orderd to pay in sixty days -

Gale & Williams) 74
)
vs) Sci fa
)
M. Chapman)

Come now the plaintiff in this cause and on their motion this cause is dismiss'd at the said Plaintiffs cost, which they are orderd to pay in sixty days

Benj Murphery [sic]) N^{O} 91
)
vs) Debt
)
Frdk Lacoy[?])

Com[e] now the Plaintiff and on his motion this cause is ~~cent~~ [sic] dismiss'd at his own cost, which he is orderd to pay in sixty days

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Henry J. Hall) 47
)
vs) Trespass on the case
)
George Stough)

Come now the parties and on motion of the plain-

tiff this cause is continued by opperation [sic] of Law -

Nathaniel Merriman) 79 (discontinuance fild &
) (
vs) Sci fa (rec^{d} May 9, 1839
) (
Jonathan G. Wait)

Come now the plaintiff and on his motion this cause is continud for process untill the next term of this court

Benj Murphey) 82
)
vs) Garnishee
)
Frdk Lacoy) At this time come the said Plaintiff and on his motion this cause is continued

W^{m} F. Beeves [Beavers]) N^{o} 87
)
vs) Trespass on the case
)
W^{m} Hamilton)

At this time come the parties and ~~by-agreement on-motion-of-the-Pltff~~ [sic] this cause if dismiss by agreement at defendants cost It is therefor [sic] considerd by the Court that the said Plaintiff do recover of the said defendant the costs and charges in this behalf laid out and expended

W^{m} G. Harper) 96.
)
vs) Trespass on the case
)
W^{m} Hurlbut)

At this time comes the said plaintiff and on his motion this cause is continud for process -

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James W. Sprag[u]e as Admst of David Sprage vs Wm Reynolds — N° 100 — Forign [sic] Attachment

At this time comes the said plaintiff and on his motion this cause is continud for publication -

Reuben Chamberlain vs John B. Bonnie — N° 16 — Debt on appeal

Come now the parties in this case and on motion of the plaintiff a rule is granted against the Justice of the Peace before whom this cause was tried, to amend the Transcript in this cause fourthwith [sic] and day is given

Charles W. Selbey vs Joseph Tood [Todd]) — N° 18 — Sci fa

Comes now the plaintiff in this cause, and the defendant being three times solmely [sic] call'd comes not but herein makes default, whereby the said plaintiffs

action remains unanswerd and undefended and it appearing to the satisfaction of the court that on the 16th day of June 1838 the said plaintiff fild in the office of the Clerk of this county a Transcript of a Judgt against said defendant, by which Transcript it appears that on the 28th day of May 1838 the said plaintiff obtaind a judgment against said Defendant, before Edmund Littlefield a Justice of the Peace in this county

p. 356 for the sum of Nineteen Dollars and 86/100 together with costs of said suit renderd in favour of said Plaintiff, ~~and it appearing to the satisfaction of the court that~~ [sic] that an execution had been isued [sic] by the Justice against the said defendant on this Judgment, which exeuction was returnd no good or chatels [sic] found. And it also appearing to the court that this writ had been served at least ten days previous to the first day of the present term of this court, which writ and return are in these words (here insert them - It is therefore considerd by the court that the said Plaintiff Charles W. Selby do have execution against the said defendant Joseph Tood [sic] , for the sum in said Judgment & Sci fa specified and that He recover of rhe said defendant his cost & charges in this behalf laid out & expended

Thomas Moseby	)	67
vs	)	
indorser of Bisby/Fitch	)	
	)	
vs	)	Debt
	)	
Elias B. Smith	)	$375. --- $376.82

Replevin Bail Taken in this Case

Now comes the plaintiff by Cooper his attorney and the said defendant in his own proper person and the said defendant says he cannot gainsay or deny that he is indebted to the said plaintiff as indorser aforesaid in the sum of three hundred and sdventy five dollars as is by the said declaration alleged and that the said plaintiff hath sustained damage for the detention of the same to the amount of one dollar and eighty one cents making in all the sum of three hundred and seventy six dollars and eighty one cents, and he does now freely confess a Judgment in favour of the said plaintiff for the same

p. 357 It is therefore considered by the court now here that the plaintiff aforesaid as indorser of Bisby vs Fitch do have and recover against the said defendant the sum of three hundred and seventy five dollars in debt and the sum of one dollar and eighty one cents in damage for the detention thereof making in all the sum of three hundred and seventy six dollars and eighty one cents as by the defendant confessed as aforesaid together with his costs and charges in and about the prosecution of this suit laid out and expended and the defendant in mercy &/c

Tunis Van Pelt &)
)
John Fowler)
)
vs) Assumpsit
)
Nathan Merriman)

N^{O} 27

Now at this time come the said Plaintiffs by Chamberlain their attorney, as also comes the said defendant in his own propper [sic] person, and the said defendant says that He cannot gainsay or deny but that He is indebted to the said Plaintiff in the sum of Two hundred and seventy one Dollars and seventy four cents in ~~Debt and~~ [sic] damages ~~for the detention thereof making in all the sum of~~ [sic] in [sic] and the said defendant now in open court confesses freely a judgment in favour of the said plaintiff for the same - It is therefor [sic] considered by the court now here that the said plaintiffs do recover of the said defendant the sum of Two Hundred and Seventy One Dollars and 74 cents as by the said defendant confess'd as aforesaid together with his costs and charges in this behalf laid out and expinded [sic] - and the defendant in mercy &c -

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State of Indiana)
)
vs)
)
Joshua T. Hobbs)

N^{O} 6

Official Negligence in relation to Seminary funds

Now at this time comes John W. Wright Esqr

prosecuting the pleas ~~of the State~~ [sic] of the State of Indiana, as also comes the said defendant in his own proper person, and being arraign'd upon the Indictment aforesaid, and it being demanded of Him fourthwith [sic] how he will acquit himself of the offense herein charged against Him, for a plea thereto He says He is not guilty and for trial thereof He puts Himself upon the county, and the said prosecutor doth the like, thereupon here comes a Jury to try the isue [sic] joind between the parties aforesaid towit, Moses Chapman, Sam[1] Berry, Abram K. Brower Marcino Fpx. Seth Tucker, Lewis Vance Robert Greenfield, Elijah Pixley Jno. Stevens Levi Knott, Fredk Robbins & Enoch Leighton Twelve good and lawfull [sic] men, discreet free holders and housholders [sic] of the county of Lagrange aforesaid, who are elected tried and sworn the truth to speak upon the isue joind aforesaid and a true verdict give according to the evidence and after hearing the proffs [sic] and allegations of the parties, the argument of Council [sic] & charge of the Court, retire to deliberate upon their verdict, under a sworn officer of this court and after due deliberation had thereon return unto court under charge of said officer with the following verdict towit - We the Jury find the defendant guilty & assess his fine at one Dollar - It is therefore considerd by the court now here that the said State of

Indiana do recover of the said defendant the sum of one dollar and the cost and charges in this behalf laid out and expended, and the defendant in mercy &c -

Jeremiah Hays)
)
vs)
)
Metzer Alvord)

N^{O} 2

Debt on appeal

Now at this time comes the parties and the isue [sic] being joind [sic] in this cause thereupon here comes a Jury to try the cause towit, Enoch Leighton Moses Chapman, Robert Greenfield Robert Hume Sam^{l} Wescote, Seth Tucker Marcino Fox, Lewis Vance Elijah Pixley, Sam^{l} Berry, Frdk Robbins & Jno. Stevens Twelve good and Lawfull men discreet freeholders & housholders [sic] in the county of Lagrange aforesaid, who being elected tried and sworn the truth to speak & a true verdict give according to the evidence, after hearing the proffs [sic] and allegations of the Parties the arrument of council [sic] and charge of the Court retire to deliverate [sic] upon their verdict under charge of a swon [sic] oficer [sic] of this court - and after due deliberation had thereof return return [sic] unto court under charge of said officer with the following verdict towit, "We the Jury do find for the defendant" - It is therefore considerd by the court now here that the said Defendant do recover of the said

plaintiff his costs and charges in this behalf laid out and expended -

Charles Johnson) N^{O} 5
)
Charles H. Stevens[?])
Stewart[?])
vs) Debt on appeal
)
Alfred H. Murray) The parties by their attorneys & the defendants attorneys by leave of the court withdraw their appearance herein

Now comes the plaintiff & the defendant being thereupon three times solemly [sic] called comes not but herein makes default

p. 360 ~~It--whereby~~ [sic] It is therefore considered by the court that the Said plaintiffs ought to receive of the Said defendant their debt & damages in this behalf, but because the amount of the Said debt & damages are to the court here unknown, therefore let a Jury come & enquire of & assess the same, and now comes the following Jury towit - Enoch Leighton, Moses Chapman, Robert Greenfield, Robert Hume Sam[1] Wescote, Seth Tucker, Marcino Fox & Lewis Vance, Elijah Pixley, Fredk Robbins, Samuel Berry & Jonathan Stevens who being elected tried & sworn ~~the-truth-well-and-truly-to-assess-the-amount~~ [sic] true enquiry & assessment to make & a true verdict give according to the evidence of the Said debt & damages, having heard the evidence & Charge of the Court retire under charge

of a sworn officer to deliberate on their verdict, & thereupon return into court under charge of said officer the following verdict towit, We the Jury ~~assess~~ [sic] find for the plaintiffs in debt & ~~damages at~~ [sic] one cent, & it is therefore considerd by the court that the said plaintiff recover of the said defendant the sum of one cent ~~in dama~~ [sic] in debt, besides his costs & charges in this behalf laid out & expended -

And the Court adjourned untill [sic] 8 Oclock tomorrow morning

Publicly read in open court and signed April the 24th 1839.

C. W. Ewing

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April Term A.D. 1839

Wednesday morning 8 Oclock April 24, 1839 the Court met pursuant to adjournment, present the Same Judges and other officers as on Yesterday -

In the Matter of)
)
J. Eastman Johnson) It appearing to the satisfaction of this Court that the Said J. Eastman Johnson was duly examined and Licenced [sic] to practice as an Attorney and Counsellor of this court in the Term of April in the year one thousand eight hundred and thirty eight,

the said Johnson now appears in open court, and the oath of office as such attorney & counsellor is duly administered by the Presiding Judge thereof

James McConnel)
)
vs) N^{O} 9
)
Reuben J. Dawson) Trespass on the case upon promises..

Now come the parties by counsel - and the defendant files his general issue to the first second third and fourth counts of the said plaintiffs declaration, in these words (here insert) [sic] and the plaintiff files his similiter to the said plea in these words (here insert) and the defendant also files his two separate demurrers ~~demurrers~~ [sic] to the fifth and sixth counts of the said plaintiffs declaration in these words (here insert) [sic] and the plaintiff files his joinder to the defendants said demurrer in these words (here insert) and this cause is at issue - and thereupon on motion of the plaintiff and affidavit filed this cause is continued to

p. 362 April Term A.D. 1839 [sic]

the next Term of this Court at the costs of the plaintiff which costs said plaintiff is ordered to pay in sixty days

David Elmore &) No 23.
)
Elmore his wife)
)
vs) Trespass on this Case
)
Francis L. McHugh)

At this time come the parties by council [sic], and the defenant [sic] files his ~~demur-to the~~ [sic] general demurrer to the four first Counts and also his general demurrer to the fifth County of the said plaintiffs decliration [sic] in these words (here insert them) and day is given -

Zimeri Atwater) N^{O} 55
)
vs) Trespass on the Case
)
Benj Blair)

Now at this time comes the parties & the defendant says nothing in bar or preclusion of the plaintiffs demand ~~wherefore~~ [sic] upon the plaintiff waved [sic] any damages sustained in the above case It is therefore considered that the said plaintiff recover of the said defendant his cost & charges by him laid out & expended & the defendant in mercy &c

[sic] Strike out [sic]

Jemima McCollum) No 78
)
vs) Trespass on the Case
)
Ezekiel P. Tifft)

Now at this time comes the parties by their

council [sic], and the said Defendant files his demurrer to the first and second count in said plaintiffs Decleration [sic], which demurer [sic] to the said first count is now by the defendant withdrawn, and day is given -

p. 363

April Term A.D. 1839

Wm S. Prentiss) No 81
)
vs) F. Attachment
)
Edward S. Smith)

Comes now the plaintiff in this cause by his Attorney J. B. Howe and on his Motion this cause is continued for publication in the Fort Wayn[e] Sentinel -

Benj Murphey) 82
)
vs) D. Attachment
)
Frdk Lacoy)

At this time comes the said plaintiff by his Attorney (Smith) and no his notion [sic] this cause is continued for Publication in the Fort Waynn Sentinel -

Jedediah Groves) No 85
)
vs) Trespass on the case
)
John B. Clark)

Comes now the parties by their Attorney, and on motion of said Defendant, by Colerick his Attorney to quash the writ in this cause, which motion the court sustain and

quash the writ - And on motion of the said plaintiff (by Howe his Attorney) this cause is continued for Process till the next term of this court -

David Jenkins &)
)
Steven Kistler)
)
vs) Foreign Attachment
)
James Degroph)

Nº 99

Comes now the plaintiff in this cause by s Attorney J. B. Howe Esqr and on his motion this cause is contind for Publication -

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April Term A. D. 1839

John Owen)
)
vs) Trespass on the Case -
)
Drusus Nichols)

Nº 95

Now at this time comes the Plaintiff by his attorney Neal McGoffey, and the said defendants Attorney having withdrawn his appearance in this cause, and the said Defendant being three times solemly [sic] call'd comess not but herein makes default, whereby the said Plaintiffs action remains unanswerd and undefended.

It is therefor [sic] considerd by the Court now here, that the said Plaintiff do recover of the said defendant the sum of One Hundred and forty two Dollars

and forty two cents in Damages together with ~~with~~ [sic] the costs by this ~~Defendant~~ [sic] plaintiff in & about this suit laid out and expended and the defendant in mercy &c -

Albert Powell &)
)
James McConnell)
)
vs) Trespass on the case
)
W^m Swartz)

Strike out [sic]

Now at this time comes the said Plaintiff and waves [sic] his motion ~~to~~ [sic] for a writ of enquiry and for Damages - and the said Defendant being rhree times called comes not but herein makes Default - It is therefore considerd [sic] by the Court now here that the ~~the~~ [sic] said Plaintiffs [sic] do recover of the said Defendant the costs & charges in this behalf laid out and expended - and the defendant in mercy &c -

p. 365

State of Indiana)
)
vs) ~~Forgery~~ [sic] Indictment for
)
James Campbell) Forgery

Now at this time comes John W. Wright prosecuting Attorney, as also the said defendant James Campbell in his own proper person and by agreement this cause is continud & said defendant is ordered to enter into recognizance in the sum of fifteen hundred dollars with surety in the like

sum conditioned for his appearance in this court on the first day of its next Term in answer to said Indictment, and thereupon comes the said James Campbell who acknowledges himself to owe & be indebted to the State of Indiana in the sum of fifteen hundred dollars lawfull [sic] mony [sic] of the United State & here comes also William Hunt, William Cochran,James McCollum, & Nelson Earl and Peter Miller who jointly ~~& severally~~ [sic] acknowledge themselves to ~~jointly & severally~~ [sic] owe & be indebted to the State of Indiana in the sum of fifteen hundred dollars lawfull money of the United States to be levied of their respective goods & chattles [sic] lands & tenements if default be made in the following condition that is to say

That ~~if~~ [sic] the above named James Campbell shall be and appear before the Judges of the said Lagrange Circuit court on the first day of their next term to holden at the court house in said county to answer to the State of Indiana on an indictment for Forgery prefered [sic] against him at the present term of this said court to [?] abide the ~~decision~~ [sic] Judgment of said court thereon & not depart therefrom without leave - & this cause is continued

The Grand Jury now return into court sundry bill of indictment found by them as true bills and signed by their foreman as true bill & desire the court to record them as

such - and also a report of the county jail, & having no further bussiness [sic] are discharged

Ordered that in all indictments for Larceny found at the present term the defendants be severally ~~reecognized~~ [sic] required to enter into recognizance in the sum of five

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hundred dollars with securities in like sums

No. 1 George F. Whitaker)
)
vs) Assumpsit
)
Thayer H. Codding)

Come now the parties by their attorneys and thereupon the said defendant files his demurrer to the first count of the said plaintiffs declaration which is in these words (here insert the demurrer) to which the plaintiff adds his joinder in demurrer ~~in demurrer~~ [sic] which is in these words (here insert the joinder) and said defendant also files his plea of general issue to the said second count of the said plaintiffs declaration(which is in these words) here insert the the [sic] plea, to which said plea of general issue the said plaintiff adds his similiter which is in these words (here insert the similiter). ~~And thereupon after argument~~ [sic] And the issue being joind in this behalf on the demurrer to the said first count of said plaintiffs declaration after argument of counsel and due deliberation had

thereon the court are of opinion that the said first count of said plaintiffs declaration mentioned & the matter therein contained in manner & form as the same are therein alledged [sic] & set forth are not sufficient in law for the said plaintiff to have and mentain [sic] his aforesaid/[action] thereof against said defendant and do sustain said demurrer to the said first count of said declaration. And thereupon said plaintiff saith that he will no further

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prosecute the said second count of said declaration It is therefore considered that the said defendant as to the said second court of said declaration do go hence thereof without day. And it is also considered by the court that the said defendant have and recover against said plaintiff his costs and charges in this behalf paid laid out & expended and plaintiff in mercy &c

Thomas P. Curtis[?])
)
vs) Trover.
)
Joshua Weeks)

Comes now the plaintiff by Howe his attorney and withdraws his said motion for a new trial in this cause & the said defendant by Johnson his attorney also comes & thereupon the said defendant by his said attorney now moves the court for judgment on the verdict of the jury here-

tofore found in this behalf which motion the court sustain. It is therefor [sic] considered by the court that the said defendant as to said action go hence without day and recover against the said plaintiff his costs and charges in this behalf paid laid out & expended and the plaintiff in mercy &c.

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April Term A.D. 1839

9. James McConnell)
)
vs) Assumpsit
)
Ruben Dawson)

Come now the parties and thereupon said defendant now files his plea of general issue to the said first second third & forth [sic] counts of said plaintiffs declration mentioned which is in the words (here insert the plea) to which plea the said plaintiff adds his similiter in these words (here insert the similiter) And the said defendant also files his demurrer to the said fifth & sixth counts of said declaration which demurrer is in these words (here insert the demurrer) to which said plaintiff adds his joinder in demurrer which is in these words (here insert the joinder in demurrer) And thereupon ~~affid~~ [sic] on said ~~defendants~~ [sic] plaintiffs motion on affidavit filed this cause is continued at the costs of of [sic] said plaintiff of this term which costs he is ordered to pay within sixty days

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13. Hezekiah Hoard)
)
vs) Debt on Appeal
)
James Salsury)

Come now the parties by their attorneys and the issue being joined in this behalf now comes the following jury to try the same to wit, Elijah Pixley Robert Greenfield, Robert Hume Lewis Vance Samuel Wescott John Stevens Henry Omstead Samuel Berry Abraham K. Brower Levi Knott, Seth Tucker & Marcina Fox twelve good and lawful men householders & freeholders of said county who being elected tried & sworn the truth to speak upon the issue joined as aforesaid and a true verdict to give according to the evidence After hearing the proofs & allegations of the parties the argument of counsel and charge of the court do say and find the following verdict to wit, We the jury find for the plaintiff nine dollars & thirty six cents in debt, and thereupon said defendant now ~~moves the court to~~ [sic] tives notice that he will move for a new trial in this behalf & day is given &c.

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15. Jonathan Woodruff)
)
vs) Appeal
)
Levi Knott and) Trial of right of property.
Ethan A. Brown

Comes now the said plaintiff by Johnson his attorney and on his motion this cause is dismissed at plaintiffs costs It is therefore considered by the court that the said defendants as to said action go hence without day and recover against said plaintiff their costs and charges in this behalf paid laid out and expended & plaintiff in mercy &c.

16. Reuben Chamberlain)
)
vs) Trespass on the case
)
John B. Bonnie)

Come now the parties by their attorneys, and the issue being joined in this behalf now comes the following jury to try the same to wit: Gustavus A. Moore Fredrick Robins Enock [sic] Leighton John Kromer Mills Averill Thayer H. Codding Daniel H. Pierce Francis J. Jewett, Robert Hamilton Selden Martin Abraham Call [Cole] Tilar Fleming twelve good and lawful men householders and freeholders of said county who being elected tried and sworn the truth to speak on the issue Joined as aforesaid and a true verdict give according to the Evidence After hearing the proofs and allegations of the parties ~~return-under~~ [sic] and the charge of the Court, retire under the charge of a Sworn Bailiff to deliberate upon ther [sic] verdict. And after due deliberation had thereon return

p. 371 into Court under charge of said officer with the following verdict towit "We the Jury find the defendant not guilty" It is therefore considerd by the court now here that the said plaintiff take nothing by his said action and that the Said defendant go hence without day and recover of the said plaintiff his costs and charges in this behalf paid laid out and expended and the ~~defendant~~ [sic] plaintiff in mercy &c

20. John W. Pound)
)
vs) Trespass on Appeal
)
Stephen D. Palmer)

Comes now parties and by ther [sic] agreement this cause is dismissed at the ~~defendant~~ [sic] plaintiffs costs.

It is therefore considered by the court now here that the said ~~plaintiff~~ [sic] defendant do have and recover against the said ~~defendant~~ [sic] plaintiff his costs and charges in this behalf paid laid out and expended and the ~~defendant~~ [sic] plaintiff in mercy &c

23. David Elmore)
)
vs) Trespass on the Case
)
Francis L. McHugh)

Come now the parties by their attorney and the said defendant files his demurrer to the first

Second third and fourth Counts of the plaintiffs declaration which demurrer is in these words (here inset [sic] it) to which demur [sic] the plantiff [sic] adds his joinder in these words (here inset it) and the defendant also files his demur to the fifth Count of the plantiffs declaration which -over-

p. 372 demurrer is in these words (here insert it) to which the said plaintiff adds his Joinder in these words (here insert the Joinder) and the issues being Joind on the demurrer aforesaid the Court, after hearing the argument of Counsel, and due deliberation had thereon are of opinion that the said declaration & the matters and thing therein containd as the same are therein set forth are not sufficient in Law for the said plaintiff to have and maintain his aforesaid action ~~thereof against~~ [sic] thereof against the Said defendant, snd do sustain said demurrers And thereupon said defendant withdraws his Joinder in demurrer and by leave of the Court ~~withdraws~~ [sic] dismisses his said action

It is therefore considerd by the court that the said defendant recover of the said plaintiff his costs and charges in this behalf paid laid out and expended and the plaintiff in mercy &c

Robert Dayton)
)
26. vs) Trespass on the Case
)
John C. Kinney &)
)
Silas Powell)

Come now the parties by their attorneys and this cause by the agreement of parties is dismiss[d] at the defendants costs.

It is therefore Considerd by the court now here that the Said plaintiff recover of the Said defendants his costs and charges in this behalf paid laid out and expended and the defendants in mercy &c

p. 373 April Term A.D. 1839 -

31. Alexander Wallace)
)
vs) Trespass on the Case
)
Shelden Williams)

Come now the parties by their attorneys and thereupon the plaintiffs Attorney withdraw their appearance, and the Said plaintiff being three times Solemnly called Comes not but herein wholy [sic] made default, it is therefore considerd by the court that the Said plaintiff take nothing by his said action and that the Said defendant as to Said action go hence without day and recover against the said plaintiff his costs and charges in this behalf paid laid out and expended and the said plaintiff in mercy &c

35 Gustavus A. Moore for the)
)
Use of David Jenkins)
)
vs) Trespass on the Case
)
David G. Haskins &)
)
E. M. Haskins)

Come now the parties by their attorneys and the defendants file their two several pleas ti tge olaintiffs declaration in these words (here inset the pleas) And thereupon on motion and of said defendants affidavit filed this cause is continued at the costs of the said defendants of the present term which the said defendants are orderd to pay in sixty days.

p. 374 April Term 1839

37 Edward Hannegan)
)
vs) Trespass on the Case
)
Harvey W. Woods)

Comes now the parties by their attorneys and by the agreement of parties this cause is dismissed at the costs of the said plaintiff.

It is therefore considered by the Court now here that the said defendant recover of the said plaintiff his costs and charges in this behalf paid laid out and expended and the Said plaintiff in mercy &c

30 Sylvester M. Rose)
)
vs) Trespass on the Case
)
Nelson Earl(Carl?))

Come now the parties by their attorneys and the defendant files his two Several pleas to the plaintiffs declaration in these words (here insert the pleas) And the defendant upon affidavit filed moves the court to continue the cause which motion the court overrul and day is given &c

51. Robert Dayton)
)
vs) Trespass on the Case
)
John C. Kenney &)
)
Silas Powell)

Come now the parties by their attorneys and by the agreement of parties this suit is dismissed at the cost of the defendants It is therefore considered by the court that the said plaintiff have and recover of the said defendants his costs and charges in this behalf paid laid out and expended and the defendant in mercy &c -

p. 375 52 Rufus Bullock)
)
vs) Foreign Attachment
)
John T. Hall)
)
Sylvester R. Lyman &)
)
Ephraim Farnsworth)

Comes now the plaintiff by his attorney and on his motion this Cause is Continud for publication. (discontinuance fil'd May 8, 1839 by the Plaintiffs Attorney Smith)

53 Rufus Bullock)
)
vs) Garnisheee
)
Albert Powell)
)
James McConnell &)
)
David G. Haskins)

Come now the ~~plaintiff~~ [sic] Parties by thir [sic] attorneys and on ~~his~~ [sic] Plaintiffs motion this cause is contind. discontinued by Smtih agent and atty for Pltf discontinuance on file 6th May 1839.

Rufus Bullock)
)
54 vs) Garnishee
)
Albert Powell &)
)
David G. Haskins)

Come now the parties and on plaintiffs motion this cause is Continued discontinued by pltf attorney and agent on file 6th May 1839.

56 Richard A. Gains)
)
vs) Sci fa on Transcript to bind Lands
)
David G. Haskins)

Comes now the plaintiff by his attorney

and the said defendant being three times Solemnly called comes not but herein makes default. And it appears to the satisfaction of the court that the Scire factias [sic] in this behalf had been ~~filed~~ [sic] served ten days before the first day of the present term of this court, It is therefore considered by the court that the said plantiff [sic]

p. 376 April Term A. D. 1839.

have execution against the goods chattles [sic] Lands and tenemets [sic] of the said defendant to make the said sum of Eighty eight dollars and twelve cents with interest thereon from 8th day of ~~Septem~~ [sic] December 1838 in said Scire facias mentioned as also the costs and charges in this behalf paid Laid out and expended and the said defendant in mercy &c

166 Nathan Merriman)
)
vs) Sci fa on Transcript to bind land
)
Daniel Wait)

Comes now the said plaintiff by his attorney and the said defendant being theee times Solemnly called comes not but herein makes default and it appearing to the satisfaction of the court that the Scire facias had been served ten days before the first day of the present term of this court, It is therefore Considerd by the Court that the plaintiff have execution against the goods and chattles Lands and tenements of the said defendant to make the said

sum of thirty eight dollars ~~and---costs~~ [sic] with interest thereon from the 19th day of May 1838 in the said Transcript & Scire facias mentioned together with his costs and charges in this behalf paid laid out and expended and the defendat [sic] in mercy &c

p. 377

April Term A.D. 1839.

(84) Moses Chapman)
)
vs) Covenant.
)
Andrew Ellison)

This day come the parties and by their agreement the matters in controersy in this cause are submitted to the award and arbitrament of Neil McGaffy Luther Newton and Edmund Littlefield and it is agreed that the said arbitrators or any two of them shall meet on the twenty-second day of June next or any subsequent day which shall be agreed [sic] upon by said arbitrators, ~~and-after~~ [sic] giving the parties ten days notice of such subsequent meeting provided said ~~parties~~ [sic] arbitrators shall not meet on the twenty second day of June aforesaid And said arbitrators or any two of them ~~are-required-to~~ [sic] after having heard the proofs and allegations of the parties are required to make their award in writing signed by them or any two of them and to return said award to this court on the first day of the next term thereof, on which said award there is to be a judg-

ment of this court rendered & day is given &c.

(Notice sent to N. McGaffee Attorney)

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April Term A.D. 1839

91. Seth Parmelee)
)
vs) Trespass
)
Zimri Atwater)

Comes now the plantiff [sic] by his attorny [sic] and the defendant being three times Solemnly called comes not but herein wholy [sic] makes default It is therefore considerd by the ~~Said~~ [sic] Court now here that the plantiff ought to recover his damages in this behalf but the court being not advise[d] of the amount thereof let a Jury come to Enquire of & assess the same, ~~and day is given~~ [sic] and thereupon the said plaintiff now moves.[?] the inquiry and assesment [sic] of damages in this behalf & day is given &c -

Stricken out [sic]

John Owen)
)
95 vs) Trespass on the Case
)
Drusus Nichols)

Come now the parties by their attorneys and the defendants attorney withdraws his appearance in this [sic] behalf and the defendant being three times Solemnly called comes not, but herein wholy [sic] makes default. And it ap-

pearing to the satisfaction of the court that the writ had been served and the declaration filed in this behalf ten days prior to the first day of the present term of this court. And this action being founded [?] on an instrument in writing for the oayment [sic] of money which is capable of being reduced to a certainty. And the court being fully advised in the premises do find for the plaintiff one hundred and forty two dollars in damages [sic] It is therefore considered by the Court that the plaintiff do have

p. 379 and recover of the defendant the sum of One hundred and forty two dollars in damages together with his costs and charges in this behalf paid laid out and expended. And the defendant in mercy &c

99 David Jenkins &)
Stephen Kister)
- vs) Foreign Attachment
James DeGroff)

Stricken out [sic]

Comes now the plaintiff by his attorney and on his motion this cause is continued for publication, [sic] & day is given &c

And Court adjourned untill [sic] 8 Oclock tomorrow morning -

Publicly read in open court and signed April the 25th

1839

C. W. Ewing

Thursday morning 8 Oclock April 25th April [sic] A.D 1839, present the same Judges and other offers as on Yesterday -

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April Term A. D. 1839.

Addison Sakor)
)
vs)
)
Daniel H. Pierce)

N° 92

Come now the parties in this Cause, and by their agreement this Cause is ~~continued~~ [sic] dismissed at the said plaintiffs Cost - It is therefore Considered by the~~ir~~ [sic] Court now here that the said defendant do recover of the said plaintiff the Cost and charges in this behalf laid out and expended -

Ordered that all indictments Joind at the present term of this court for forgory [sic] not otherwise disposed of by giving bail the defendants be recognized in the sum of hundred dollars with shurities [sic] in the like sums for their appearance at the next term of this [sic] court.

vs

Jemima McCallum)
)
vs) Case
)
Ezekiel J. Teft)

Now comes the plaintiff by Smith & Ward her Attorneys & the defendant by his Attorneys & the defendant filed a general Demurrur [sic] to each count in the plaintiffs declaration in the words & figures following (here inset demurrer) to which demurrer the plaintiff filed their [sic] joinders in the words & figures (here inst [sic] joinders) & the court hafter hearing the arguments of counsel sustain the demurrer to the second count & overruled the demurrer to the first count

Whereupon the defendant withdrew his demurrer to the first count & filed the general issue (in these words) & the plea

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of justification (here insert plea) & thereupon the plaintiff filed his similiter in these words (here insert similiter) to the general issue & his replication in these words (here insert replication) to which replication the defendant filed his similiter (here insert similiter) & the issues having been joined, the sheriff of Lagrange County is now required to bring into court a jury to try the issue aforesaid & the said sheriff now returns into court the following discrete householders & free holders of the county of

Lagrange ~~county~~ [sic] to wit Samuel Berry Abram K. Brown Moses Chapman Robert Hume Seth Tucker Lewis Vance Samuel Wolcott Elisha Pixley Elmo[?] Stephens Levi Knott Frederick Robins ~~twelve~~ [sic] Enoch Leighton twelve good & lawfull men freeholders & householder of the county aforesaid who being duly sworn well & truly to try the issues joined after hearing the ~~arguments of counsell & the~~ [sic] testimony of the witnesses & the arguments of counsel & charge of the court retire under the charge of a sworn baliff [sic] of this court to deliverate on ther [sic] verdict who afrer due deliveration thereon return into court under the charge of the said sworn baliff ~~the following verdict to wit We the Jury~~ [sic] and report that they cannot agree upon a verdict in this cause whereupon by the consent of the parties the aforesaid Jury are discharg'd by the Court, and a writ of Venira Denova [sic] is awarded, and this cause is continued until the next term of this court - with leave to the parties to amend their pleadings

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April Term A.D. 1839

George Carl)
)
vs) N^{O} 12 Domestic Attachment
)
Hiram Crumb)

Now at this time their [sic] comes the said plaintiff by Howe his Attorney, ~~as also comes the said~~

~~defendant by Hiß [sic] Cooper his Attorney,~~ [sic] and on motion of said plaintiff this cause is continued, and it is orderd by the court now here that ~~that~~ [sic] an allias [sic] writ of attachment do issue in this cause, directed to the Sheriff of this county -

John Cowins)
)
vs)
)
Tyler Fleming)

N^{O} 17

Trial of the right of Property

Now at this time come the parties ~~by~~ [sic] and the isue [sic] being joind in this behalf now come the following Jury to try the Cause Harvey Olmsted, Robert Greenfield, John Kromer William T. Howard, Ethan A. Brown David Stephenson Georg Lotterer, Horace Tuttle, Jason G. Bearss Datus Newton, Robert Cummings & W^{m} Miller - Twelve good and lawfull [sic] men discreet freeholders and housholders [sic] in of the County of Lagrange who being elected tried and sworn the Truth to speak upon the isue joind and a true verdict give according to Evidence, who after hearing the testimony in this case, the argument of ~~the~~ [sic] council [sic] and charge of the Court, retire to deliverate [sic] upon their verdict under ~~a~~ [sic] the charge of a sworn oficer [sic] of this court - and after due deliberation had thereon now return into court under charge of said oficer, with the following verdict to wit, We the Jury

Jurors [sic] find the Yoke of oxen mentioned in said plaintiffs cause of Action to be the property of the claimant John Cowan and

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April Term 1839

assess their value at seventy five dollars, and find that the Grey Horse is not the property of the Claimant John Cowan, and therefore subject to execution - & day is given -

Seth C. Parmelle [sic]) N° 91.
)
vs) Trespass
)
Zemori Atwater)

Come now the parties by their attorneys and by their agreement this cause is dismissed each party to pay his own cost, which costs said parties are respectively ordered to pay within sixty days -

Seth C. Parmelee) N° 91
)
vs) Trespass
)
Zimori Atwater)

Stricken out

Now at this [time] comes the said plaintiff by his Attorney J. B. How, and the said defendant, having been three times call'd comes not but herein makes default. It is therefore considerd by the court that the said Plaintiff ought to have and recover damages in this behalf, but the court not being advis'd thereof, Let a Jury come to try the cause - thereupon the plaintiff waves [sic] his writ

of inquiry and assesment [sic] of Damages in this action - It is therefor [sic] considerd by the court now here that the said plaintiff do have and recover of the said defendant the cost and charge in this behalf by Him the the [sic] said plaintiff laid out and expended

p. 384 4th day - April Term 1839 - 25th April

Ordered that on the Indictment found by the grand Jury at this Term against Me-shitua-quin for ~~forgery~~ [sic] Larceny the defendant be required to enter into recognizance in the sum of Five hundred dollars with surety in the like sum & that on the Indictment found at said said [sic] Term against Timothy Wilkinson for forgery the defendant be required to enter into a recognizance in the sum of One thousand - Dollars with surety in the like sum - conditioned in each case for the appearance of said defendants before this court on the first day of its next Term to answer respectively to said Indictments -

And Court adjourned untill [sic] 8'Oclock tomorrow morning -

Publicly read in open court and signed April the 26th 1839 -

C. W. Ewing

Friday Morning 9 Oclock April ~~Term~~- [sic] 26th 1839 the Court met pursuant to adjournment - present the same Judges & officers as on yesterday

82 Benjamin Murphy)
)
vs) Domestic Attachment
)
Frederick Lacoy)

Now comes the said the said [sic] plaintiff by his attorneys and on his motion the continuance heretofore entered in this behalf is set aside and this cause is dismissed at the costs of the said plaintiff which costs the said plaintiff is ordered to pay in sixty days -

83 Benjamin Murphy)
)
vs) Garnishee
)
Samuel Wright)

Now comes the said plaintiff by his attorneys & on his motion the continuance heretofore entered in this behalf is set aside & this cause is dismissed at the costs of plaintiff - which costs said plaintiff is ordered to pay in sixty days

Otis Newton)
)
58 vs) Asst.
)
James Kinney &)
)
John C. Kinney)

This day came the parties and thereupon the said defendant files his two several pleas to plaintiffs declaration which pleas are in these words (here insert the pleas) to which said first plea the plaintiff adds his similiter which is in these

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words (here insert the similiter) and files his replication to the said second plea which is in these words (here insert the replication) and the issue being joined in this behalf as aforesaid now comes the following jury to try the same to wit: Samuel Berry, Abraham K. Brower, Masino Fox, Seth Tucker, Lewis Vance, Robert Greenfield, Elijah Pixley, John Stephens, Levi Not [Knott], Frederick Robins, Enock Leighton and Harvey Umstead, twelve good and lawful men householders and freeholders of said county who being elected tried and sworn the truth to speak and a true verdict to give upon issue joined as aforesaid, after hearing the proofs & allegations of the parties the argument of counsel & charge of the court do say and find the following verdict to wit We the jury find for the plaintiff and assess his damages at forty dol-

lars & fifty seven cents, and thereupon the said plaintiff gives ~~the~~ [sic] notice that he will move for a new trial in this cause & day is given &c

John Cowans)
)
N° 17 vs) Appeal on the trial of the right of
)
Tyler Fleming) property

Now come the parties by their attorneys and by their agreement the verdict of the Jury given at the present term of this court is set aside and by their agreement and consent a new trial is granted and by the agreement of the parties the plaintiff is allowed to amend his ~~cause~~ [sic] claim for the said property and the ~~said~~ [sic] sheriff of said county is allowed to amend his return to the writ of execution in this case, and thereupon the said plaintiff files his claim as amended and said sheriff now amends his return to the said execution and this cause is continued untill [sic] the next term of this court and venire de novo is awarded &c

p. April Term A.D. 1839 -
387

George Donaldson)
)
63. vs) Trespass on the Case
)
Joshua T. Hobbs)

Now came the parties ~~by their attorneys~~

[sic] in person, and the said Plaintiff dismisses his said action - It is therefore considered by the said Court that the said Joshua T. Hobbs do have and recover of and from the said George Donaldson his costs and charges in this behalf laid out and expended &c

Thayer N. Codding)
)
3. vs) Case
)
John Ewing)

Now come the parties by their attor- nies [sic], and by the agreement of said parties this [sic] cause is continued at the costs of said Thayer N. Codding, which costs are ordered to be paid in sixty days, or an attachment to issue &c

Stricken out [sic]

Francis F. Jewett)
)
61. vs) Domestic Attachment
)
David N. Parker)

Now come the parties by their attornies [sic], and on motion of the Plaintiff this appeal is dismissed at the costs of the ~~appleant~~ [sic] appellant [sic] It is therefor considered by the court that the said [sic] Jewett do have and recover of the said Parker his costs and charges in said appeal laid out and expended &c

Zimri Atwater)
)
55. vs) Trover
)
Benjamin Blair)

Now come the parties by their attornies [sic], and this cause is dismissed ~~at the~~ [sic] on motion of said Plaintiff at his costs which costs the said Atwater is ordered to pay in Sixty Days or an attachment to issue &c

59. William T. Codding)
)
for the use of Otis Newton)
)
vs) Debt.
)
James Kinney &)
)
John C. Kinney)

This day come the parties and the said defendant now files his two several pleas to said ~~inferma~~ [sic] plaintiffs declaration which are in these words (here insert the pleas) to which said first plea the said plaintiff adds his similiter which is in these words (here insert the similiter) and files his demurrer to the said defendants second plea which demurrer is in these words (here insert the demurrer) to which said demurrer the said defendants adds his joinder in demurrer, which is in these words (here insert the joinders) and thereupon the said defendant by leave of the court for that purpose first had and obtained now with-

draws his said seconde [sic] plea in this behalf, and the issue being joined in this behalf upon the said first plea as aforesaid, now here comes the following jury to try the same to wit, Moses Chapman, John Kromer, Samuel Wescott, Robert Hume, Simpsons Cummins, Horace Tuttle, Palmer Grannis, Gustavus A. Moore

p. 389

April Term A.D. 1839.

E. Scamahorn, Abraham Cole, Locy Young & Tyler Fleming twelve good and lawful men householders and freeholders of said county, who being elected tried and sworn the truth to speak and a true verdict to give according to the evidence upon the issue joind as aforesaid who after hearing the proofs and allegations of the parties the argument of counsel and the charge of the court do say and find the following verdict towit, We the jury find for the plaintiff the sum of two hundred dollars in debt, and eighteen dollars and twelve cents in damages It is therefore considered by the court here that the said plaintiff do have and recover against said defendant the said sum of two hundred dollars in debt as also the said sum of eighteen dollars and twelve cents in damages for the detention thereof making in all the sum of two hundred and eighteen dollars and twelve cents, besides his costs in this behalf paid laid out and expended and the defendant in mercy &c.

5th day

50

Sylvenus M. Rose)
)
vs) Trespass on the Case
)
Nelson Earle)

Come now the parties by their attorneys and thereupon the defendants attorney withdraws his appearance and the pleas by him heretofore filed in this cause and the said defendant being three times called comes not, but herein wholy makes default It is therefore considered that the said plaintiff recover his damages but the court not being advised of the amount thereof let a Jury come to a true verdict of [?]

p. 390 and assess the same Thereupon the Sheriff brought into court the following Jurymen to wit Samuel Berry Moses Chapman Abraham K. Brower, Masena Fox Seth ~~Fiteh~~ [sic] Tucker Lewis Vance Robert Greenfield Elisha Pixley Jonathan Stephens Levi Knott Frederick Robins, Enoch Layton twelve good and lawful man discreet householders and freeholders of Said County who being electre tried and sworn a true assessment to make and verdict to give according to the Evidence after hearing the Evidence, the argument of Counsel and the Charge of the Court do retire under the Charge of a sworn bailiff of this Court to deliberate upon their verdict and after due deliberation had thereon do return into court, under the Charge of said officer with the following verdict towit, "We the Jury find

for the plaintiff and assess his damages at One hundred and Seventeen dollars and seventy three cents" It is therefore considered by the court that the plaintiff do recover of the said defendant One hundred and seventeen dollars and seventy three cents in damages together with his costs and charges in this behalf paid laid out and expended and the defendant in mercy &c

p. 391
61 Francis F. Jewett) vs David N. Parker) Foreign Attachment

Now comes the said plaintiff by Colerick & Coombs his attornies [sic] and Elias B. Smith attorny [sic] for said defendant also comes And thereupon the said plaintiff moves the Court to dismiss the appeal in this behalf for the insufficiency of ~~an~~ [sic] the appeal bond and for other errors apparent upon the face of the transcript - which motion the Court sustain and dismiss said appeal at the Costs of said defendant -

It is therefore Considered by the Court that the said plaintiff recover against the said defendant his costs & charges by him in this behalf paid laid out and expended &c

86. Hiram Wheeler) vs Drusus Nicols) Debt

Comes now the plaintiff by Johnson & Dawson and Hanna his attorneys and the said defendant by Howe his attorney thereupon the said defendant files his demurrer to tje plaintiffs declaration in these words here inset to which the said plaintiff adds his Joinder in these words here inset and after argument of Counsel and due deliberation thereon had ~~it is considered by~~ [sic] the Court are of opinion ~~now here~~ [sic] that the Said plaintiffs declaation and the matters therein contained ~~as the demurrer~~ [sic] in manner and form as the same are therein set forth are good and sufficient in law for the said plaintiff to have and maintain his aforesaid action thereof against the said defendant, and do overrule said demurrer - and the said defendant refused

p. 392 to withdraw his said demurrer

It is therefore considered by the court now here that the said plaintiff do recover ~~of~~ [sic] against the said defendant, One thousand three hundred and Sixty Eight dollars and fifty nine cents in debt, and One hundred and Eighty dollars and fifty two cents in damages making in all the sum of fifteen hundred and forty nine dollars and one cent, together with his costs and charges in this behalf paid laid out and expended and the defendant in mercy &c

Gale & Williams)
)
80. vs) Domestic Attachment
)
Metzer Alvord)

Comes now the plaintiff by Howe his attorney and on his motion the appeal in this case is dismissed at the defendants costs ~~of~~ [sic] It is therefore considerd by the Court now here that the said !laintiff do have and recover of said defendant his costs and charges in this behalf paid laid out and expended, and the defendant in mercy &c

(proceedings isued [aic] 4 May to AP)

41 Nathan Merriman)
)
vs) Trespass on appeal
)
Sydney Keith)

Come now the parties by their attorneys and ~~by their~~ [sic] on motion of plaintiffs attorney this cause is dismissed at the plaintiffs costs It is therefore considered by the court now here that the said defendant -
p. 393 recover ~~from~~ [sic] against the said plaintiff his costs and charges in this behalf paid laid out and expended, and the said plaintiff in mercy &c

38

Robert Bell)
)
vs) Debt on appeal
)
James Tillepaw)

Come now the parties by their attorneys and by their agreemet [sic] this cause is continud & day is given

40

Isaa[?] Robins)
)
vs) Debt on Appeal
)
Nelson Earle)

Come now the parties by their attorney's and by their agreement the Judgment of the Justice of the peace in this case is affirmd [sic].

It is therefore considered by the Court now here that the said plaintiff do recover against the Said defendant the sum of Seventeen dollars ~~Eighty-Eight-Cents~~ [sic] Seventeen Cents in debt ~~and~~ [sic] with interest thereon from the rendition of the Judgment ~~cents-in-damages-making-in-all-the sum-of~~ [sic] before the Justice of the peace ~~cents~~ [sic], together with his costs and charges in this behalf paid laid out and expended as well before the Justice of the peace as in this court and the said defendant in mercy &c

p. 24 David H. Parker)
394)
vs) Trespass on the Case
)
James McConnell) upon Promises

Comes now the ~~parties~~ [sic] plaintiff by Smith his attorny [sic] and the Said defendant in his own proper persin [sic] also comes and says that ~~that~~ [sic] he cannot gainsay or deny that he did promise and undertake in manner and form as the said plaintiff hath declared

in this case is affirmed [sic].

against him and that the Said plaintiff hath sustaind [sic] damages to the amount of Two hundred and Six dollars and fourteen cents, for which sum of Two hundred and Six dollars and fourteen cents he now here in open court freely confesses Judgement.

It is therefore considerd by the court now here that the said plaintiff do recover against the said defendant the sum of Two hundred and Six dollars and fourteen cents in damages together with his costs and charges in this behalf paid laid out and expended and the defendant in mercy &c

And thereupon Albert Powell the ~~prine-surety~~ [sic] special bail now surrenders the said James McConnell the principal in the recognizance of special bail in this cause and moves the court to enter ~~ex-onary~~ [sic] exonereter [sic] upon said recognizance of Special bail which motion the [court] sustain and order that the said Albert Powell be discharged from all liability from said recognizance, and the said principal James McConnell is ordered into the custody of the Sheriff there to be detained ~~until~~ [sic] for the span of twenty four hours and that unless the said principal be charged in execution by a Capias ad repondendum within that time that he be discharged

p. 395

13

Hezekiah Hoard)
)
vs) Debt on appeal
)
James Salisbury)

Now at this time come the parties by ther [sic] attorneys and thereupon the defendants attorneys move the Court, in pursuance of a notice heretofore given, to grant a new trial in this behalf, and the Court being sufficiently advised in the premises, do sustain Said motion and set aside the verdict heretofore rendered in this behalf and grant a new trial in this behalf and award a venire denovo in this behalf and day is given &c

14

Hugh Allison)
)
vs)
)
Robert Johnson)

Come now the parties by rheir attorneys, and the defendant files his plea of Genl Issue to the first and second counts of plaintiffs declaration (in these words here inset) and his demurrer to the 3rd Count of plaintiffs declaration in these words (here insert the demurrer) And thereupon by agreement of parties this Cause is continud, ~~and day is given~~ [sic]

~~10~~ [sic]

State of Indiana)
)
vs) on Recognizance forfeited
)
Timothy Wilkinson)

Comes now John W. Wright prosecuting the pleas of the State of Indiana in this behalf and the said Timothy Wilkinson veing three times solemnly called comes not but herein makes default whereby said

p. 396 recognizance become forfeited and the said defendant become liable to pay to the State of Indiana the sum of four hundred dollars the amount in the said recognizance specified

It is therefor [sic] considered by the court that the said State of Indiana do recover against the said defendant the sum of Four hundred dollars in said Recognizance specified besides the costs and charges in this behalf paid laid out and expended

And it is ordered by the court that a writ of Scire facias do issue against the said defendant requiring him to be and appear before the Judges of the LaGrange Circuit Court on the first day of their nexterm [sic] thereof to shew cause if any he can why the State of Indiana should not have execution against the goods and chattles [sic] lands and tenements of the said defendant to make the said sum of four hundred dollars as also the costs and charges in this behalf laid out and expended

State of Indiana)
)
vs) Recognizance forfeited
)
Truman Wilkinson)

Comes now John W. Wright who prosecuts [sic] the pleas of the State of Indiana in this behalf and Timothy Wilkinson principal in said recognizance being three times solemnly called comes not, but herein makes default and said Truman Wilkinson surety in the said recognizance

p. 397 being three times Solemnly Called and required to bring into court the body of Timothy Wilkinson in discharge of his recognizance comes not but herein wholy [sic] makes default whereby said recognizance is forfeited and the said ~~State of Indiana~~ [sic] defendant became liable to pay to the said State of Indiana the sum of four hundred dollars in said recognizance specified

It is therefore considerd [sic] by the court now here that the said State of Indiana do recover against the said defendant the said sum of four hundred dollars besides her costs and charges in this behalf laid out and expended

And it is orderd by the court that a writ of Scire facias do issue against the said defendant requiring him to be and appear before the Judges of the LaGrange Circuit Court at the nexterm [sic] thereof to ~~answer~~ [sic] shew Cause if any he can why the said State of Indiana should not have

Execution against the goods and chattles [sic] lands and tenements of said defendant to make the said sum of four hundred dollars as also her costs and charges in this behalf paid laid out and expended

69

R. Darlington)
)
vs) Scire facias on Transcript
)
Daniel Wait)

Comes now the plaintiff and the said defendant being three times called comes not but herein wholy [sic] makes default

It is therefor considerd by the court now here that the said plaintiff do have execution against the gainst [sic] the goods and chattles lands

p. 398 and tenements of said defendant to make ~~his~~ the sum of fifty five dollars and seven cents in said Transcript mentioned together with Interest from the Eighth day of December 1838, together with his costs and Charges in this behalf paid laid out and expended and the defendant in mercy &c

70

William M. Homes)
)
vs) Scire facias on Transcript
)
Joseph Todd)

Comes now the plaintiff by Howe his at-

torneys and the said defendant being three times Solemnly called comes not but wholy make default

It is therefore considerd by the court now here that the said plaintiff have execution against the goods and chattles lands and tenements of the said defendant to make the sum of Twenty one Dollars and twenty cents ~~dollars~~ [sic] in said Transcript specified with interest from the 15th day of December 1838 together with his costs and charges in this behalf paid laid out and expended - and the defendant in mercy

71

Nathan Merriman)
)
vs) Sci fa
)
Nicholas Wells)

Comes now the plaintiff by Howe his attorney and on his motion this cause is contind and an alias Scire facias awarded and day is given &c

p. 399 75

R. P. Clark)
)
vs) Debt on Appeal
)
Hezekiah Beebee)

Come now the parties by ther [sic] attorneys and by their agreement this cause is dismissed at the

defendants costs. It is therefore considerd by the court now here that the said plaintiff do recover against the said defendant his costs and charges in this behalf paid laid out and expended and the said defendant in mercy &c

90

Jonathan Gardner)
)
vs) Trespass on the Case
)
Jonathan Woodruff)

Come now the parties by ther [sic] attorneys and thereupon the said defendants attorney withdraws his appearance and the said defendant being three times Solemnly called comes not but herein wholy [sic] makes default. it is therefore considerd by the court that the said plaintiff do recover against the said defendant the sum of One hundred and ninety three dollars and twelve cents in damages together with his costs and charges in this behalf paid laid out and expended and the defendant in mercy &c

(bail enterd on order book for stay

_____)

p. 400

91

Seth C. Parmelee)
)
vs) Trespass
)
Zimiri Atwater)

Comes now the parties by their attorneys and by their agreement this cause is dismissed each party paying ~~one-half-the~~ [sic] his own costs. Which costs are now here by the court ordered to be paid in Sixty days -

97

Albert Powell)
)
vs) Trespass on the Case
)
Ransel Kent)

Come now the parties by their attorneys and the defendant fils [sic] one plea to plaintiffs declaration (in these words here insert it). and this cause by the agreement of parties is continued ~~and-day-is-given-&c~~ [sic] and plaintiff has leave to amend his declaration

Mary Ann Wallace)
)
by Alexander Wallace)
)
89 her next friend)
)
vs) Case for defamation
)
Sheldon Williams)

Now come the parties by their attorneys and the ~~plaintiff~~ [sic] defendant by by [sic] his attorneys filed their demurrer to the declaration in these words (here insert) and the ~~defendant~~ [sic] plaintiff filed her joinder in these words (here insert) and after agrument [sic] of Counsel being had thereon the Court now here do find that

the said declaration and the matters therein contained are sufficient in law for her the

p. 401 said plaintiff to have and maintain her said action against the said defendant and the court here does overrule the said demurrer, and thereupon the said defendant asked and obtained leave to withdraw his demurrer and plead to the said plaintiffs declaration, and on motion of the said plaintiff the said defendant ~~the~~ [sic] is ruled to ~~file his~~ [sic] plead to the said declaration on or before tomorrow morning and day is given &c

Thayer H. Codding)
)
vs)
)
John Ewing)

Case

Now come the parties by their attorneys and on motion of said plaintiff this cause is dismissed at his costs -

It is therefore considered by the Court that the said defendant do recover against the said plaintiff his costs & charges by him in this behalf paid laid out and expended

And Court adjourned untill [sic] 8. O'clock tomorrow morning -

Publicly read in open court and Signed April the 27th 1839.

C. W. Ewing

p. 402 April Term A.D. 1839 6th day

Saturday Morning April 27th 1839 the court met pursuant to adjournment of Yesterday at 8 oclock in the morning, present the same Judges and officers as of yesterday

Mary Ann Wallace an infant by Alexander Wallace her next friend	)	89
89 vs	)	Case for defamation
Sheldon Williams	)	

Come now the said Mary Ann Wallace and prayed that Alexander Wallace be appointed by the court her next friend to prosecute said suit which prayer us granted granted [sic] and the said Alexander Wallace is hereby appointed and admitted by the court now here to prosecute for the said Mary Ann Wallace and thereupon the said Alexander Wallace now appears in open court and accepts of the said appointment as such next friend, and the plaintiff asked and obtained leave to amend her declaration and on motion of said defendant this cause is continued at the costs of the said plaintiff which the said Alexander Wallace as the next friend of the said plaintiff is ordered to pay within sixty days, and the plaintiff asked and obtained leave to amend her declaration within ninety days and this cause is continued, &c

Nathan Merriman) 8
)
8 vs) In Chancery
)
Abijah Everit et al)

Now comes the plaintiff [by] John B. Howe Esq his attorney and proved to the satisfaction of the court now here that the publication of the pendency of this suit had been duly made in Fort Wayne Sentinel a public news paper printed and published in Fort Wayne in the County of Allen, a paper of general Circulation in the County of Lagrange aforesaid, there being no

p. 403 April Term A.D. 1839 6th day

news paper printed in the said County of Lagrange, and that the same had been made in said paper three weeks in succession more than sixty days before the first day [of] present term of this court in pursuance of an order of publication made by the clerk of this court in vacation ~~and-day-is-given the-parties~~ [sic] which publication was in the words here insert the affidavit, and day is given &c

James Cummins) 7
)
7 vs) In Chancery
)
James McConnel)

Now come the parties by their attorneys and by their agreement this cause is continued untill [sic] the next term of this Court

Robert Hamilton) 10
)
10 vs) In Chancery
)
John C. Birdsell)

Now comes the plaintiff by his attorney John B. Howe Esq. and proved to the satisfaction of the Court now here, that the publication of the pendency of this suit had been made in the Fort Wayne Sentinell [sic] a Public news paper printed and publish'd in fort Wayn [sic] in Allen County I^{a}. a paper of generall circulation in Lagrange County aforesaid, and that the same had beenmade in said paper three weeks in cucission [sic], Sixty days previous to the first day of the present term of this court, in pursuance to an order for publication made by the clerk of this court in vacation, which publication was in the words, here insert the affidavit

p. April Term A.D. 1839
404

Elias B. Smith)
)
vs) N^{O} 47
)
Robert Vanderburgh) Assumpsit
)
John Vanderburgh)
)
Clymon Vanderburgh)

Come now the Plaintiff in this cause and files his decliration [sic], and by the agreement of the Parties this cause is continued till the next term of this

Court, and leave is given to s^{d} Plaintiff to amend his declira-tion [sic] -

Albert Powell &)
)
James McConnell)
)
vs) 98 Trespass on the Case
)
William Swartz)

Come now the said plaintiffs by their Attorney John B. Howe Esqr and the said defendant being three times called comes not, but herein wholey [sic] makes default. It is therefore considerd by the Court now here ~~that~~ [sic] that the said plaintiffs ought to have and recover of the said defendant his damages, but the Court now being advised of the amount thereof, therefor [sic] let a Jury come to enquire of and assess the same - Thereupon the said Plaintiff now here wavs [sic] his ~~damages-and~~ [sic] writ of inquiry and assessment of damages in this behalf - It is therefor considerd by the court now here that the said Plaintiffs do have and recover of the said defendant their cost & charges in this behalf laid out and expended - and the said defendant &c -

p. 405

April Term A.D. 1839

Robert Dayton, adminis^{t} of the)
)
Estate of George Bulwer [Bulmer] dec^{d}) N^{O} 3
)
vs)
)
Isaac P. Grannis)

Horace Hall and) Writ of Injunction
)
William Hanson) In Chancery

Comes now the plaintiff in this cause by John B. Howe Esqr his Attorney and on his motion this cause is continued -

David Jenkins &)
)
Stephen Kistler) N° 12
)
vs) Bill in Chancery
)
Gustavus A. Moore)
)
Theodore Moore &)
)
Francis F. Jewitt)

Comes now the plaintiff by his Attorney John B. Howe Esqr and on his motion this Bill is dismiss'd at the said plaintiffs own Costs which they are orderd to pay in sixty days

Nathan Merriman)
)
vs) Bill in Chancery
)
Mills Averil Abigal) [sic]
)
Averel, Alanson Averil)
)
and others)

Now come the complainant by by John B. Howe his attorney

p. 406

Thomas P. Curtis)
)
vs) On Appeal
)
William P. Bromley)

Come now the parties and the issue in this behalf being joined as aforesaid now here comes a Jury to try the same, towit, Enoch Lighton Abram K. Brown Fredk Robins Sam[1] Wescott Sam[1] Berry Levi Knott Marcino Fox Jno Stephens Robert Greenfield Elijah Pixley Harvey Olmsted Lewis Vance twelve good and lawful men householders & freeholders of said County who being elected tried & sworn the truth to speak and a true verdict give according to evidence upon the issue joined as aforesaid after having heard the evidence of the parties argument of Counsel and charge of the [court] now return the following verdict, towit, We the jury find for the defendant & assess his damages at nineteen dollars and forty cents - It is therefore considered by the court that said defendant do recover against said plaintiff the said sum of nineteen dollars and forty cents in damages together with his costs and charges by him in this behalf paid laid out and expended &c

p. 407

April Term A.D. 1839 6th day

Albert Powel)
) N° 6
vs) In Chancery
)
Jeremiah Case)

Nathaniel O. Archer)
)
Palmer Grannis and others)

This day came the ~~parties~~ [sic] said complainant by Colerick & Johnson his solicitors and Palmer Grannis one of said defendants by Howe his solicitor also comes and thereupon the said defendant Palmer Grannis now files hisdemurrer to said bill which demurrer is in these words (here insert the demurrer) to which the complainant adds his joinder in demurrer in these words ~~which-is-in-these words~~ [sic] (here insert the joinder in demurrer) ~~in-these words-(here-insert-the-joinder)~~ [sic] And thereupon the said complainant confesses the demurrer and withdraws his joinder & asks and obtains leave of the court to amend the bill in this behalf And it appearing to the satisfaction of the court from the Sheriffs return of not found to the subpoena in this behalf that Nathaniel O. Archer and John S. Case two of said defendants are not residents of the State of Indiana, on motion of said complainant it is ordered that the said defendants Nathaniel O. Archer and John S. Case be notified by publication in the Fort Wayne Sentinel a public ~~ation~~ [sic] newspaper of general circulation published in the county of Allen & State aforesaid and being the nearest newspaper of general circulation to the said county of Lagrange there being no newspaper published in said county of Lagrange three weeks successively at least sixty days before the first

day of the next term of this court that unless the said

p. 408 defendants Nathaniel O. ~~Case~~ [sic] Archer & John S. Case appear on ~~er-before~~ [sic] the first day of the next term of said court, and plead answer or demur to the said bill the same as to them will be taken as confessed & this cause is continued

State of Indiana)
)
vs) Attachment for Contempt
)
William Fish)

At this time comes John W. Wright prosecuting the pleas of the State as also comes the said defendant in his own propper [sic] person and it being ~~call'd-upon-by the-court~~ [sic] fourthwith [sic] demanded of him how he will acquit himself of said alledged [sic] contempt of this court in not answering to a Subpoena heretofore serv'd whom for a plea thereto says He is guilty in manner & form aforesaid. Thereupon the court assess his fine at three Dollars

It is therefore considered by the court now here that the said State of Indiana do have and recover of of [sic] the said defendant the sum of three Dollars and the costs of this prosecution which sum & costs sre now [by] him paid in open court.

vs

Sarah Paxton) 4
)
vs) Bill in Chance[r]y for Divorce
)
Robert Paxton)

At this time the said complainant being three times call'd comes not but herein makes default - It is therefore considered by the court now here that the said plaintiffs bill be dismiss!d at said complainants cost and that the said Defendant do have and recover of the said complainant the costs and charges in this ~~behalf-laid~~ [sic] suit expended

p. 409 6th day April Term A.D. 1839 - April 27th 1839

Hezekiah Howard) 13
)
vs) Debt on Appeal
)
James Salsberry)

Now come said the parties by their attorneys and the said plaintiff now moves the court for a reconsideration of the motion heretofore made for a new trial in this cause which motion is now granted and the order heretofore made setting aside the verdict last aforesaid and granting said last mentioned new trial is set aside - and after argument heard and deliberation had the Court do overrule said motion for a new trial last made as aforesaid -

It is therefore considered by the court now here that the said plaintiff do have and recover against the said de-

fendant the the [sic] sum of Nine Dollars and thirty six cents so assessed and found by the Jury aforesaid ~~as-also~~ [sic] and the court now here on motion of said defendant apportion the costs equally between said parties and order that they respectively pay each the one half of the costs in this cause within sixty days -

Isaac Whitaker)
)
vs) Assumpsit 22
)
Julia Whitaker)
)
Admx &c)

Come now the said parties by their respective attorneys and by agreement this cause is dismissed at the cost of said ~~plaintiff~~ [sic] defendant -

It is therefore considered by the court that the said ~~defendant~~ [sic] plaintiff do have and recover against the said ~~plaintiff~~ [sic] defendant his costs & charges in this behalf paid & expended -

p. 410 6th day) April Term A.D. 1839. April 27th

Otis Newton)
)
vs) N^{O} 58.
)
James Kenney &) Assumpsit
)
John C. Kenney)

Come now the parties by their attorneys and by their agreement the verdict of the Jury in this cause

is set aside and a new [trial] is granted and a venire de novo is awarded in this cause -

And thereupon comes now here Fredrick Hamilton special Bail for the said defendants in this cause and now delivers up here in open court to the custody of the sheriff of said County the said defendants in discharge of his recognizance of special Bail, and said Fredrick Hamilton is now here discharged from all liability & wholly discharged & exhonerated [sic] from his said recognizance of special Bail in this behalf, and this cause is continued

William T. Codding)		
for the Use of)		
Otis Newton)		
vs)	Debt Judg.t for Debt	$200
James Kinney &)	Dam	18.12
John C. Kinney)		$218.12

Now comes here into open court Parmer [sic] Grannis and acknowledges himself replevin Bail and security for the said defendants for the payment of the above Judgment interest and costs accrued accruing and to accrue at the expiration of One hundred and eighty days from the day of the rendition of said Jugement [sic] - and now comes here also Fredrick Hamilton special Bail for said defendants in this suit and surrenders said defendants here

in open court in discharge of his recognizance of Special Bail -

p. 411 6th day April Term 1839 (27th Apl.)

David Gallagher)
)
vs) Trespass on the Case.
)
George F. Whitaker) Jugt $74.

Comes now the said plaintiff by Howe his attorney and produces and files here in open court the following warrant of attorney towit (here insert the warrant of attorney) and thereupon comes here also Olver C. Ward one of the attorneys of this court and attorney in fact for the said Defendant and enters his appearance for said defendant in this suit, and now here freely confesses Judgement against the said Defendant unto the said plaintiff for the sum of Seventy four Dollars in damages the sum specified in said Warrant of Attorney -

It is therefore considered by the court now here that the said plaintiff do have and recover against the said defendant the sum of Seventy four dollars so confessed as aforesaid as also his costs and charges in this behalf paid laid out and expended -

John B. Howe)
)
for the use of) (94)
)
Spears & Patton) Trespass on the case -
)
vs) Judg[t] for $277.73
)
William McConnell)

Comes now here the said plaintiff by How[e] his attorney and produces & files in open court the following warrant of Attorney towit (here insert it) And thereupon comes here also Oliver C. Ward one of the attorneys of this court and attorney in fact for the said defendant, and now here in open court freely confesses Judgement ~~for the sum~~ [sic] against the said defendant unto the said plaintiff for the use aforesaid for the sum of Two hundred
p. 412 and seventy seven dollars and seventy three cents in Damages - being the amount specified in said Warrant of Attorney -

It is therefore considered by the court now here that the said plaintiff do have and recover (for the use aforesaid) against the said defendant the sum of Two hundred & seventy seven dollars and seventy three cents in damages so confessed as aforesaid as also his costs and charges in this behalf paid laid out & expended -

Ordered by it be certified to the Board of County Commissioners that Luther Newton Esquire & Ephraim Celey Esq[r]

~~each~~ [sic] served six days each as associate Judges of this court at its present Term -

Ordered that Fredrick Hamilton and Ceiley Goodrich be allowed seven Dollars & fifty cents each for six days service each as Bailiffs of this court at the present Term -

The following is the report of Charles W. Ewing president Judge of the condition of the clerks office of said county this day filed in open court, to wit

State of Indiana Lagrange County ss.

I charles W. Ewing president Judge of the 8th Judicial Circuit of said state, have this day examined the clerks office of said county and find that owing to the ill health and absence of the present clerk that the papers of said office are somewhat in confusion - that no complete records have been made within the last Term and that there is no

p. 413 suitable ~~minute-or~~ [sic] order Book now is there a suitable complete record book provided for said office -

April 27th 1839

C. W. Ewing

On motion of Henry Cooper Esquire the Court now here appoint Joshua T. Hobbs and Francis F. Jewet Masters in Chancery of this Court & for said County, who are now here severally sworn as such -

Joseph Ayers) 15
)
vs) In Chancery
)
W^m & Robert Hamilton)

Come now the parties and thereupon the said defendants file their demurrer to Complainants bill of complaint in these words (here insert the demurrer) to which the complainant adds ~~their~~ [sic] his joinder in these words (here insert the joinder) and thereupon the said plaintiff by leave of the court now withdraws his joinder in demurrer in this behalf and confesses the said demurrer and asks and obtains leave of the court to amend his bill and this cause is continued &c

William Ingram is alowed three dollars and seventy five cents for three days services as bailiff to this court at the present term

p. 414

April Term A.D. 1839

All pleas plaints recognizances and other matters not otherwise disposed of be & the same are continued until the next term of this court.

John Jones) N^O 16.
)
vs) In Chancery
)
George [?] Nelson)

Now comes the said ~~the said~~ [sic] complainant by Howe his solicitor and the writ of subpoena in this cause having been returned not found by the Sheriff it is ordered that publication be made in the Fort Wayne sentinel according to law and this cause is continued &c

And the court adjourned until Court in course = publicly read & Signed in open court on this the 27th day of April A.D. 1839

C. W. Ewing

p. 415 State of Indiana)
) SS
Lagrange County) Personally Came before me Wm M. Holmes Clerk of the Lagrange Circuit Court, Robert P. Clark, and acknowledg'd himself replevin bail and security for the payment of a Judgement rendered against Jonathan Woodruff etc. in favor of Jonathan Gardner, for the sum of One Hundred and ninety three Dollars, together with Costs accruing & to accrue in six month from the rendition of said Judgment, judgment renderd 26th April A.D. 1839 -
taken and approved by me
May 2d 1839 S. P. Williams)
)
Dpt Clerk L.C.C.) Robert P. Clark

State of Indiana)
)
Lagrange County) S, Be it rememberd that on this 4th
John C. Kinney) day of May AD 1839, ~~the said~~ [sic] the
)
for the use of) said plaintiff fild in office of the
)
W^m H. Gardner) Clerk of the Lagrange Circuit Court,
)
vs) a Transcript of a Judgment against
)
John Moon) said John Moon for the sum of thirty
three dollars and twenty four cents,
from the Docket of F. F. Jewitt Esqr. a Justice of the peace
in this County

W^m M. Holmes Clerk
By J. P. Williams Dpt

p. 416 Pannels [sic] of Grand & Pettit [sic] Jurors selected at the May session of the Board of Commissioners of Lagrange Co from the assesment [sic] roll of said County, and drawn by the Clerk of ~~said~~ [sic] the Lagrange Circuit Court in presence of of said board of Commissioners according to the Statute of this State in such cases made and provided, to serve as such jurors at the next October and April Terms of said Court, the same being good and lawfull [sic] men discreet freeholders and housholders [sic] in said Lagrange County -

Grand Jurors for the October Term A.D. 1839

John Kromer. T. H. Codding. Robert Hamilton Thomas Koon
Amos Davis George McElvain David Jewett Aaron Thompson

James Keith Henry Sidner Peter Lampson Lyman Sherwood John C. Howard. Alex. Berry Sen.r Peter Beisel Isaac Francis Jacob Croy Phylamon Martin

Petit Jurors for the October Term 1839

Jesse Smith John Thompson Thomas Lock William Stead Oliver Smith Robert Marshall Norman Dyer Ephraim Seely A. N. Averill Delevan Martin Nelson Nichols David Elmore John Sarles Sam. G. Burnsides Elijah Wear Micajah Harding J.r Luther Nisbett Ed. Littlefield William Ceburn Luke Hammond John Barry Jonathan Updon Thom. Burnell. Th. Walker

Grand Jurors selected for the April Term 1840

James Commins Joseph Welch William Collett William Hern jr. Robert P. Mark. W.m Harding George Stone Samuel Brown Abram Rowe Reuben Hayes John Y. Mark Joseph Davidson Lemuel Fobes Ira Hill. John Robins Jonathan Woodruff jr. Samuel Corey ~~S.--Gresby~~ [sic] Samuel West -

p. 417 Petit Jurors for the April Term 1840

Azreal Alvord Otis Newton Ichabod Searing Locea Young W.m A. McNeal. W.m Davis Mills Averill. Elias Gilbert Stephan Cain Charles Turner William Dickinson F. F. Jewett John Olney Hiram Babcock John C. Kinney Charles R. Selby. John Byrns W.m Cochran Drusus Nichols Solomon Sidmore Hiram Parks Leonard Andrews Nathan Calahan Luther Newton

May 7th 1839) W.m M. Holmes Clerk
)
at Lima) By S. P. Williams Depty

Ignatus H. O'Ferral)
)
for the use of N. Merriman) Foreign Attachment in
)
vs) the Lagrange Circuit Court
)
James Brewster)

The above named cause is dismiss'd by the Plaintiff Y the Clerk is requested to enter the same on the Order Book according to Law

Lima May 9, 1839, Jn B. Howe)
)
Atty for Plaintiff)

N. Merriman)
)
vs) Sci fa on T.
)
J. G. Wait) This suit is discontinued by the Plaintiff in vacation, and the Clerk is requested to enter this according to Law

May 10, 1839 N. Merriman

p. 418 Rufus Bullock)
)
vs)
)
John T. Hale Sylvanus R. Lyman)
)
Chas. P. Lyman & Ephraim Farnsworth) Writ of Foreign Attachment

In the LaGrange Circuit Court

Elias B. Smith agent and attorney for Rufus Bullock the plaintiff in said suit and one of the practicing attornies [sic] in Court aforesaid, hereby on the part of the plaintiff discontinues the above suit and wishes

the Clerk of the said court to enter the same of Record on the order Book of said court, that this dismissal may operatt [sic] as a non suit & as the Law directs

Lima May 6, 1839 Elias B. Smith)
)
Atty for Plnff)

Harvey W. Wood)
)
vs) Sci fa on Transcript from the Docket
)
Joseph Todd) of a Justice of the Peace to bind real Estate

Be it rememberd that on this 1st day of June A.D. 1839, the said Plaintiff fild in the office of the Clerk of this County a Transcript of a Judgment from the Docket of Francis F. Jewitt Esq a Justice of the Peace for said County, against the said Defendant for the sum of Eleven Dollars and eight cents, with inst thereon from the 16th day of March, A.D. 1839, on which which [sic] an Execution had been issued by said Justice, which was was [sic] returnd by the officer having the same 'no goods or chattles [sic] found wheron [sic] to Levy

Justice Costs 63) Wm M. Holmes Clerk
)
Court do 62) By S. P. Williams Dpty

p. 419 State of Indiana)
)
LaGrange County) Personally come before me Wm M. Holmes Clerk of the LaGrange Circuit Court Palmer Grannis and ac-

knowledged himself replenin Bail and Security for the payment of a Judgement rendered against Elias B. Smith in favour of Thomas Mosely Indorce [sic] of Besly & Fitch for the sum of Three hundred and seventy five Dollars in debt and one dollar and eighty one cents ~~in~~ [sic] damages Togeather [sic] with costs zccruing and to accrue in six months from the rendition of said Judgement. Judgement was rendered April 23^{d} A.D. 1839 -

Taken and approved)
by me June 19th 1839) Palmer Grannis
W^{m} M. Holmes Clerk)

J. T. Hobbs)
vs) Sci fa on Transcript from the Docket of
Nathan Carwin) a Justice of the peace to bind Real Estate

Be it remembered that on this 15th day of June A.D. 1839 the said Plaintiff filed in the Clerks office of this court a transcript of a Judgement from the Docket of F. F. Jewett Esquire a Justice of the peace of LaGrange Co against the said defendant for the sum of Twelve dollars and Sixty two cents with Interest from the 16th day of March 1839

p. 420 State of Indiana)
Lagrange County) SS Personally came before me W^{m} H. Holmes Clerk of the Lagrange Circuit Court Benjamin Jones and acknowledged himself replevin bail and security for the payment [sic]

of a judgment Rendered against Nelson Earl in favor of Sylvanus M. Rose for the sum of one hundred and Seventeen [dollars] and seventy three cents damages together with costs [sic] that have accrued accruing & costs to accrue within six [sic] months from the rendition of said Judgment. Which said Judgment was Rendered at the Aprile [sic] Term of said Lagrange Circuit Court on the 25th day of Aprile A.D. 1839

Taken & approved by me)
this 20th day of Aprile A.D. 1839)
Wm M. Homes Clerk)

State of Indiana)
)
LaGrange County) Personally came before me Wm M. Holmes Clerk of the LaGrange circuit court Francis F. Jewett and acknowledged himself replevin Bail and Security for the payment of a Judgement Rendered against Nathan Merriman in favour of Tunis VanPelt and John Fowler for the sum of Two hundred and Seventy one dollars and Seventy four cents Togeather [sic] with costs accruing and to accrue in six months from the rendition of said Judgement. Judgement was rendered on the 24th day of April A.D. 1839

Taken and approved by me) Francis F. Jewett
this 8th day of July 1839)
Wm M. Holmes Clerk
Pr Wm M. Gardner Dep Clerk

p. 421 Joshua Gale)
)
vs) Debt on Transcript from Judgement of
)
John C. Nobles) Justice of the Peace filed in the Clerks office July 18th 1839 for the sum of Sixty two dollars and twenty one cents

Wm M. Holmes Clerk

W. H. Gardner Dep Clerk

Joshua Gale)
)
vs) Debt on Transcript from Judgement of
)
John C. Nobles) Justuce of the Peace filed in the Clerks office July 18th 1839 for the sum of Fifty one dollars and forty five cents

Wm M. Holmes Clerk

Wm H. Gardner dep Clerk

Know all men by these presents that we Norris Stockwell and Brutus Stockwell are held and firmly bound unto Elisha H. Sheperd in the sum of three hundred dollars the payment of which well and truly to be made and done we bind ourselves our heirs executors and administrators severally and Jointly firmly by these presents signed and sealed with our seals this 13th day of November A.D. 1838

The condition of the above obligation is such that whereas the above named shepard obtained a Judgement against the said Norris Stockwell at the Last Term of the LaGrange Circuit Court for the sum of 137.70 Togeather [sic] with Interest and cost Now thereof the said Norris

Stockwell will pay the said Judgement Togeather [sic] with the Interest and costs accruing and to accrue thereon at the expiration of one hundred and eighty days then this obligation to be null and void otherwise to be in full force and virtue in Law

Taken and approved
by me this 13th day of November A.D. 1838

Brutus Stockwell §SEAL§

P. L. Mason Shff L.C

***

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material borrowed.

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